

File No. **49,633** 15. Formation Code: Drainage Basin: **Black Vermillion River** County: **MS** Special Use: Stream: **North Fork Black Vermillion River Trib 17A (Blk Verm)**

16. Points of Diversion											
T	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
√				85285							
*Add Comment: Dam Registered Under DMS-0174											

17. Rate and Quantity					MOD Qty	MOD Stream Name
Authorized		Additional				
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files		
1000	67	1000	67		NONE	

18. Storage: Rate _____ NF Quantity **67** ac/ft Additional Rate _____ NF Additional Quantity **67** 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 **12/31/2017** Date Acceptable Meter Installed _____

21. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner Files	Chg? NO	Overlap
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								
√				67766																				7a.	NO	49,634			

Comments:

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

TO: Files

DATE: August 4, 2016

FROM: Doug Schemm

RE: Applications, File Nos. 49,633 and 49,634

Terry Rottinghaus has filed the above referenced new applications proposing to appropriate surface water by both the direct diversion of surface water at a pump site (File No. 49,634), and the collection and storage of natural flows in a proposed reservoir (File No. 49,633). Both applications are located on tributaries to the North Fork Black Vermillion River. The files will be used for the same irrigation project (i.e. overlap in place of use). Application, File No. 49,634 will allow water to be pumped directly from the stream (when flows are adequate and permission has been granted) either directly to the place of use or into the reservoir requested under Application, File No. 49,633, to be stored for subsequent re-diversion for irrigation use. The points of diversion are located in the Southeast Quarter of Section 10, Township 2 South, Range 10 East, Marshall County, Kansas. The applications' place of use comprises 160 acres, wholly owned by the applicant, and the applicant has signed the application forms stating that he has legal access to the points of diversion.

Application, File No. 49,633 is requesting 67 acre-feet of surface water storage, and the re-diversion of 67 acre-feet of the stored water for irrigation use at 1,000 gallons per minute. Runoff computations have determined that the 80 acre drainage area will result in only 67 acre-feet of runoff in 1 out of every five (5) years (a 20% chance). Therefore, per K.A.R. 5-6-5, this quantity IS the limiting factor, and the application quantity was reduced to reflect this allowable maximum. Keith Grimm agreed to the reduced quantity in a July 11, 2016 e-mail.

Application, File No. 49,634 is requesting 160 acre-feet of surface water at a diversion rate of 1,000 gallons per minute. Per K.A.R 5-3-15, Application, File No. 49,634 will be subject to specific conditions, which stipulate strict requirements for direct surface water diversion. These conditions include the stipulation that no diversion shall occur unless there is water available to satisfy all demands by senior water rights and permits, written or verbal permission from the Chief Engineer, or an authorized representative is required prior to diverting water, and streamflow cannot be stopped at the first riffle below the point of diversion while diversion is taking place. The application also complies with K.A.R 5-3-15 (c)(5) because the proposed off-stream reservoir will provide adequate water storage, and there is no need for direct diversion of water from July 1 through September 30.

A quantity of 176 acre-feet is the maximum allowable to irrigate the proposed 160 acres, since 1.1 acre-feet per acre is allowable in Marshall County, Kansas. Therefore a quantity limitation is required on the junior application (File No. 49,634) when combined with the senior file for direct IRR use on the proposed place of use.

Notification letters for both applications were sent to upstream and downstream landowners on July 12, 2016. No responses of any kind were received. The WRIS database indicates there is only one other surface water right within a two (2) mile radius of either file, which is a sediment control reservoir on a different tributary. Therefore approval of these applications will not impact any senior water rights. As noted above, the direct diversion of water under File No. 49,634 will generally be limited to off-season, and only when there is sufficient water to satisfy all senior water rights.

The proposed structure was reviewed by DWR Structures Program staff under File No. DMS-0174 and the dam has been properly registered. There is are no established Minimum Desirable Streamflows (MDS) for the Black Vermillion River Basin.

Memorandum

File Nos. 49,633 and 49,634

Page 2

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 either of these permits, check valves will also need to be installed.

Katie Tietsort, Water Commissioner, Topeka Field Office, recommended the referenced applications be approved in a discussion on July 27, 2016. Based on the above discussion, North Fork Black Vermillion River is open to new appropriations meeting specific criteria, and approval of the applications will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced applications be approved, with the conditions discussed above.

Doug 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

August 29, 2016

TERRY ROTTINGHAUS
2898 HARVEST ROAD
AXTELL KS 66403

FILE COPY

Re: Appropriation of Water, File Nos. 49,633 and 49,634

Dear Mr. Rottinghaus:

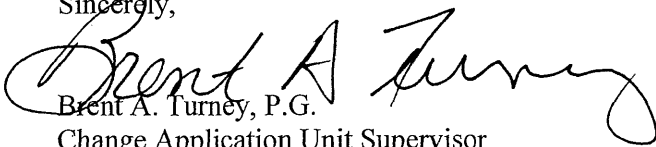
There are enclosed permits to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the sources and at the locations specified in these permits, and to use it for the purpose and at the location described in these permits.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these permits, with specific reference to Paragraph Nos. 19 and 20 for File No. 49,634 requiring you to obtain permission prior to diverting water at your pump site. 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 for each file.

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 these permits 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 these permits. Failure to comply with this regulation will result in the dismissal of your permits or your water rights. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00 per file number. There is also enclosed an information sheet setting forth the procedure to obtain Certificates of Appropriation which will establish the extent of your water rights.

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
MWI LLC

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. 49,633** of the applicant

**TERRY ROTTINGHAUS
2898 HARVEST ROAD
AXTELL KS 66403**

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 **May 9, 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				TOTAL			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				
10	2S	10E																40	40	40	40	160

3. That the appropriation sought shall be limited to all natural flows of an unnamed tributary to North Fork Black Vermillion River, designated in the office of the Chief Engineer as North Fork Black Vermillion River Trib 17A (Blk Verm), not needed to satisfy all vested rights and prior appropriation rights to be incrementally accumulated as reservoir storage space becomes available to a maximum extent of **67 acre-feet** per calendar year in one (1) reservoir created by a dam located in the Southwest Quarter of the Southeast Quarter of the Southeast Quarter (SW¼ SE¼ SE¼) of Section 10, more particularly described as being near a point 491 feet North and 933 feet West of the Southeast corner of said section, in Township 2 South, Range 10 East, Marshall County, Kansas, to provide **67 acre-feet** of water as needed for direct irrigation use to be withdrawn, released or otherwise diverted from the reservoir at a re-diversion rate of approximately **1,000 gallons per minute (2.23 c.f.s.)**. A reasonable maximum re-diversion rate will be established during the perfection period and assigned at certification.

4. That installation of works for diversion of water shall be completed on or before **December 31, 2017** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee, which is currently \$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, which is currently \$100.00.

5. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2021** 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, which is currently \$100.00.

6. 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.

7. 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.

8. 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.

9. 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.

10. That all re-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 re-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.

11. That an acceptable water flow meter shall be installed and maintained on the re-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).

12. 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.

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

14. 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.

15. 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 25 day of August, 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 25 day of August, 2016, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson

Notary Public

CERTIFICATE OF SERVICE

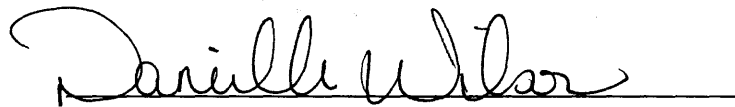
On this 29 day of August, 2016, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,633, dated August 25, 2016 was mailed postage prepaid, first class, US mail to the following:

TERRY ROTTINGHAUS
2898 HARVEST ROAD
AXTELL KS 66403

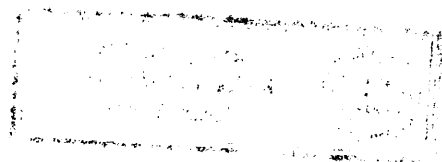
With photocopies to:

MIDWEST IRRIGATION
% KEITH GRIMM
1215 OREGON ST
HIAWATHA KS 66434

Topeka Field Office



Division of Water Resources



NEW STREAM WORKSHEET

ES AW

Date: 8/25/16

File No. 49,633

Basin Name: Black Vermillion Basin No. 14

Stream Name: North Fork Black Vermillion River Trib 17A

Stream location (confluence with parent stream):

Section 10, Township 2 South, Range 10 (East)

Map Color Coding:

Basin Stream – Blue

Named Main Stream off Basin Stream – Yellow

Named Stream off Main Stream – Green

Unnamed Trib (1, 2, 3, 4, etc.) – Pink

Unnamed Trib to Unnamed Trib (A, B, C, etc.) – Orange

Unnamed Trib to Unnamed Trib to Unnamed Trib (1, 2, 3, etc.) – Purple

Stream No. 3 8 7 8 (computer assigned - entered by data entry staff)

Date Entered 8/29/2016 By LLM

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

August 17, 2016

TERRY ROTTINGHAUS
2898 HARVEST RD
AXTELL KS 66403

RE: Low Hazard Dam Registration
WSN: DMS-0174

Dear Mr. Rottinghaus:

Please accept this letter as confirmation that your proposed dam is exempt from the dam safety permit requirements specified in K.S.A. 82a-301(a), and the submitted dam location has been registered in our records.

You reported that your dam will be located in the SW 1/4 of the SE 1/4 of the SE 1/4 of Section 10, Township 2 South, Range 10 East in Marshall County. You also reported that the proposed dam has a height of 21 feet, and a storage volume of 64.8 acre-feet at the emergency spillway elevation. We verified that the dam qualifies for the hazard class A permit exemption specified in K.S.A. 82a-301(d)(1).

Please note that your dam may be reclassified to a hazard class B or C in the future as a result of improvements or changes on downstream properties. If that occurs, you will be required to obtain a dam safety permit for the existing dam. This may require redesign and partial reconstruction of the dam to meet applicable dam safety standards. Contact me at 785-564-6652 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Kim Hunninghake".

Kimberly A. Hunninghake, P.E.
Dam Safety Team Leader

Pc: Keith Grimm
Topeka Field Office

Pond

APPLICATION COMPLETE

7/27/2016
Reviewer DWS

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

RECEIVED

File Number 49,633
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

JUN 21 2016

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

MAY 09 2016

Topeka Field Office
DIVISION OF WATER RESOURCES

Filing Fee Must Accompany the Application

12:45
KS DEPT OF AGRICULTURE

(Please refer to Fee Schedule attached to this application form.)

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,
109 SW 9th Street, Second Floor, Topeka, KS 66612-1283:

1. Name of Applicant (Please Print): Terry Rottinghaus

Address: 2898 Harvest Rd

City: Axtell State KS Zip Code 66403

Telephone Number: (785) 736-2299

2. The source of water is: surface water in Unnamed Tributary to the North Fork Black Vermillion (stream)

OR groundwater in _____ (drainage basin)

River Trib 17A
(Blk Verm)

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 1000 NF gallons per minute OR _____ cubic feet per second.

* Storage = 67

* Rediversion of 67 acre-feet at 1000 gpm.

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>1</u>	GMD	<u>0</u>	Meets K.A.R. 5-3-1	<u>(YES)</u> / NO	Use	<u>IRR</u>
	<u>LEZ</u>			Fee \$	<u>300</u>	TR #	
				Source	<u>G</u>	County	<u>MS</u>
				By	<u>ASW</u>	Date	<u>5/9/16</u>
				Receipt Date	<u>5/9/16</u>	Check #	<u>4288</u>

DWR 1-100 (Revised 02/12/2014) *Quantity Limited By potential annual Run-off. DWS/DWR 7/11/16
Reduction agreed to by Keith Grimm (7/11/16 e-mail)
SCANNED 5/11/2016 LHM

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 SW quarter of the SE quarter of the SE quarter of Section 10, more particularly described as being near a point 497 feet North and 933 feet West of the Southeast corner of said section, in Township 2 South, Range 10 East West (circle one), Marshall County, Kansas.
- (B) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (C) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

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

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

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

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 5, 2016. Terry Pottinghaus

 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 Pond Pump

 (number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) July 2017

 (Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was/is estimated to be July 1st 2017

 (Mo/Day/Year)

WATER RESOURCES RECEIVED

MAY 09 2016

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. Orange Basin ≈ 80 Acres

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 DMS-0174 (DAM Registration)
- If no, explain here why a Water Structures permit is not required under 30ct full code under 125 ES. Dam will be registered

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 49,634- PU overlap

WATER RESOURCES
RECEIVED

MAY 09 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 owner
(owner, tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):
Same as 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 Hiawatha, Kansas, this 5 day of April, 2016
(month) (year)

Terry Pottigbaum
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by Kath G MWI, LLC Date: 5/15/16
(office/title)

WATER RESOURCES
RECEIVED

MAY 09 2016

IRRIGATION USE SUPPLEMENTAL SHEET

File No. 491633

Name of Applicant (Please Print): Terry Rottinghaus

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: Terry Rottinghaus

ADDRESS: 2898 harvest Rd Axtell Ks 66403

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
10	2	10																		160

Landowner of Record NAME: _____

ADDRESS: _____

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

Landowner of Record NAME: _____

ADDRESS: _____

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

WATER RESOURCES
RECEIVED

FILE No. 49,633

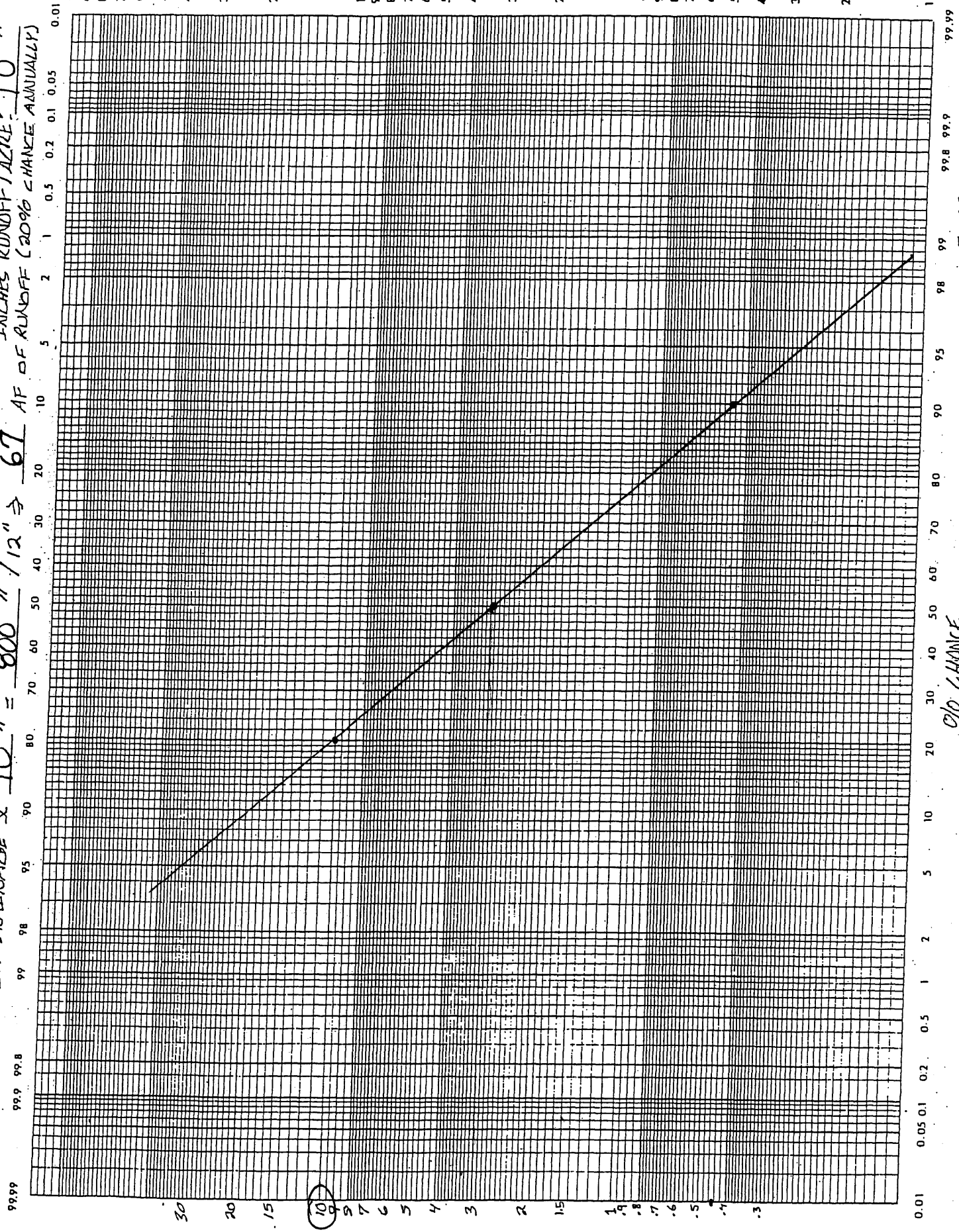
SOIL: "76" PRECIP: 32"

INCHES RUNOFF / ACRE: 10"

80 ACRES IN DRAINAGE x 10" = 800" / 12" ⇒ 67 AF OF RUNOFF (20% CHANCE ANNUALLY)

RUNOFF IN INCHES

Probability (Long-axis) by 3 Cycle Log

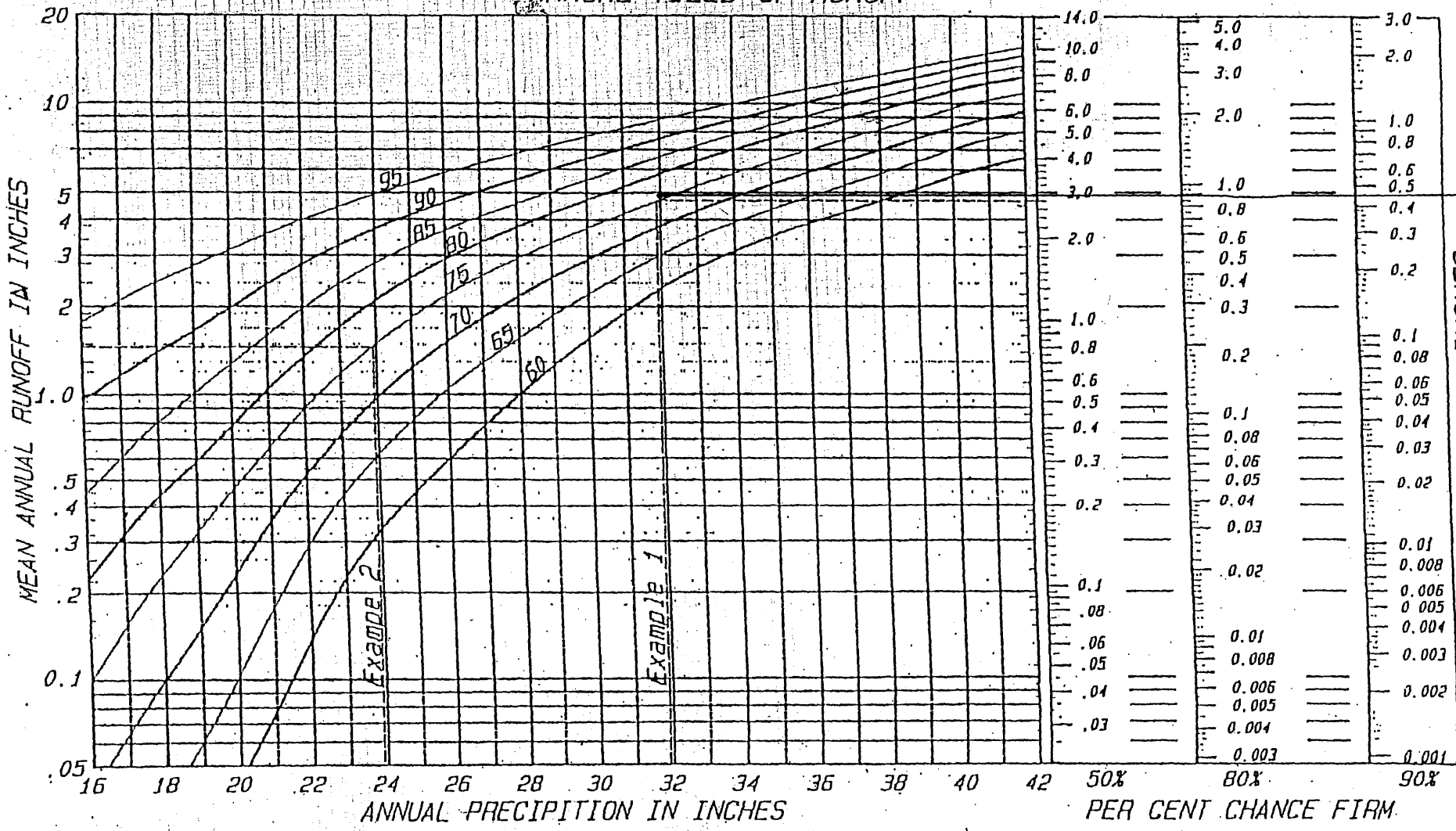


0% CHANCE

99.99 99.8 99.9 99 98 95 90 80 70 60 50 40 30 20 10 5 2 1 0.5 0.2 0.1 0.05 0.01

PREPARED BY:

ANNUAL YIELD OF RUNOFF



EFM Notice KS-38, 12/12/91

SEMI IN INCHES

KS-2-36

KAR 5-6-4(2)(1)

United States department of agriculture, natural resources conservation service, nation engineering handbook series, part 650, engineering field handbook.

49,633

Schemm, Doug

From: Keith Grimm <mwivalley@gmail.com>
Sent: Monday, July 11, 2016 12:59 PM
To: Schemm, Doug
Subject: Re: Terry Rottinghaus 49,633 and 49,634

Yes sounds good

Sent from myiPhone

Keith Grimm
MWI,LLC
O 785-288-1783
C 785-547-7556
Keith@mwivalley.com

On Jul 11, 2016, at 12:20 PM, Schemm, Doug <Doug.Schemm@ks.gov> wrote:

Keith,

Just started on these two. Based on run-off calculations, File No. 49,633 (Dam) has to be reduced to 67 acre-feet of storage and 67 acre-feet of re-diversion. Please respond to let me know if you agree with quantity reduction.

FYI, I will be sending out the nearby letters later this week.

Thanks, Doug

#49,633

WSI Query WSI ENG WSI TRANSACTIONS WATER RIGHTS LOCATIONS WAINERS ECA ITRAL COMPLIANCE IMAGES WSI ACTIONS

STRUCTURE NUMBER: D MS 0174 We Id 39162 LAST# 174

APPLICATION: App Recd Date: Project Activity: DAM REGISTRATION Site Name: Stream: NORTH FORK BLACK VERMILLION TR KDOT Type:

INDICATORS: Pending Complaint: N App Mod: N Pending Mod: N After the Fact: N General Permits: N

REVIEWER: INIT LAG Permit: DP Compliance: Permit: PENDING DET

CURRENT STATUS: APPLICANT: LAST ROTTINGHAUS FIRST TERRY

DESIGNER: LAST JORGENSEN SURVEYING FIRST

Const Comp Date: DDA Remarks: Fa

Buttons: INSTANT ALL ACT LOCATION ECA APPLICANT SUBP DESIGNER EDIT COMPLAINT NILC-OUT REVIEW

ACTIONS: LOCATION ECA FEE ITRAL DESIGNER SUBP DESIGNER EDIT COMPLAINT NILC-OUT REVIEW

Date	Action	Deadline	Remarks
09-10-2016	Decode		LAG
05-09-2016	APPLICATION ASSIGNED		
	DETERMINATION RECEIVED		DAM REGIS

NEW STREAM WORKSHEET

ES ASW

Date: 5/11/16

File No. 49,033 ~~49,033~~

Basin Name: Black Vermillion River Basin No. 14

Stream Name: North Fork Black Vermillion River Trib 17A

Stream location (confluence with parent stream):

Section 15, Township 2 South, Range 10 (East)

Map Color Coding:

Basin Stream – Blue

Named Main Stream off Basin Stream – Yellow

Named Stream off Main Stream – Green

Unnamed Trib (1, 2, 3, 4, etc.) – Pink

Unnamed Trib to Unnamed Trib (A, B, C, etc.) – Orange

Unnamed Trib to Unnamed Trib to Unnamed Trib (1, 2, 3, etc.) – Purple

Stream No. 3 8 6 3 (computer assigned - entered by data entry staff)

Date Entered 5/11/2016 By UM



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
Sam Brownback, Governor

July 12, 2016

DARRELL R & DONNA E HEINEN
2781 INDIAN RD
AXTELL KS 66403

Re: Pending Applications, File Nos. 49,633 and 49,634

Dear Sir or Madam:

This is to advise you that Terry Rottinghaus has filed the applications referred to above for permits to appropriate surface water for irrigation use. Application, File No. 49,633 is requesting to appropriate 67 acre-feet of surface water per calendar year at the rate of natural flows to be stored in a proposed reservoir, and re-divert 67 acre-feet of the stored water for irrigation use. Application, File No. 49,634 is requesting to appropriate 160 acre-feet of surface water per calendar year from a tributary to the North Fork Black Vermillion River, to be diverted at a maximum rate of 1,000 gallons per minute. Please note that the direct diversion of surface water is subject to specific permit conditions including requesting permission prior to diverting.

The proposed point of diversion for File No. 49,633 (where the dam crosses the centerline of the stream) is located in the Southwest Quarter of the Southeast Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 10; and the proposed point of diversion for File No. 49,634 is one pump site located in the Southeast Quarter of the Southwest Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 10, both in Township 2 South, Range 10 East, Marshall County, Kansas.

A map is enclosed indicating the location of the proposed points of diversion. Records in this office indicate that you own land along the stream in this vicinity and you are being notified of receipt of these applications in order that you may be fully informed of the proposed location of the applicant's points 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. You may also contact me at (785) 296-3495 with any questions or comments.

Sincerely,

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

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

Enclosure

pc: Terry Rottinghaus
MWI, LLC



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
Sam Brownback, Governor

July 12, 2016

ANDREW J PESCHEL
2885 HARVEST RD
AXTELL KS 66403

Re: Pending Applications, File Nos. 49,633 and 49,634

Dear Sir or Madam:

This is to advise you that Terry Rottinghaus has filed the applications referred to above for permits to appropriate surface water for irrigation use. Application, File No. 49,633 is requesting to appropriate 67 acre-feet of surface water per calendar year at the rate of natural flows to be stored in a proposed reservoir, and re-divert 67 acre-feet of the stored water for irrigation use. Application, File No. 49,634 is requesting to appropriate 160 acre-feet of surface water per calendar year from a tributary to the North Fork Black Vermillion River, to be diverted at a maximum rate of 1,000 gallons per minute. Please note that the direct diversion of surface water is subject to specific permit conditions including requesting permission prior to diverting.

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Sincerely,

A handwritten signature in cursive script that reads "Douglas W. Schemm".

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

Enclosure

pc: Terry Rottinghaus
MWI, LLC



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
Sam Brownback, Governor

July 12, 2016

RAY & PATTIE BUESSING
1083 29TH RD
AXTELL KS 66403

Re: Pending Applications, File Nos. 49,633 and 49,634

Dear Sir or Madam:

This is to advise you that Terry Rottinghaus has filed the applications referred to above for permits to appropriate surface water for irrigation use. Application, File No. 49,633 is requesting to appropriate 67 acre-feet of surface water per calendar year at the rate of natural flows to be stored in a proposed reservoir, and re-divert 67 acre-feet of the stored water for irrigation use. Application, File No. 49,634 is requesting to appropriate 160 acre-feet of surface water per calendar year from a tributary to the North Fork Black Vermillion River, to be diverted at a maximum rate of 1,000 gallons per minute. Please note that the direct diversion of surface water is subject to specific permit conditions including requesting permission prior to diverting.

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Sincerely,

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

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

Enclosure

pc: Terry Rottinghaus
MWI, LLC

49,633 is Trib 17A

NEW STREAM WORKSHEET

ES ASW

Date: 5/11/16

File No. 49,633 ~~49,633~~

Basin Name: Black Vermillion River Basin No. 14

Stream Name: North Fork Black Vermillion River Trib 17

Stream location (confluence with parent stream):

Section 15, Township 2 South, Range 10 (East)

Map Color Coding:

Basin Stream – Blue

Named Main Stream off Basin Stream – Yellow

Named Stream off Main Stream – Green

Unnamed Trib (1, 2, 3, 4, etc.) – Pink

Unnamed Trib to Unnamed Trib (A, B, C, etc.) – Orange

Unnamed Trib to Unnamed Trib to Unnamed Trib (1, 2, 3, etc.) – Purple

Stream No. 3 8 6 3 (computer assigned - entered by data entry staff)

Date Entered 5/11/2016 By LLM

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

MAY 09 2016

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

May 9, 2016

TERRY ROTTINGHAUS
2898 HARVEST RD
AXTELL KS 66403

RE: Application
File No. 49633

Dear Sir or Madam:

Your application for permit to appropriate water in 10-2S-10E in Marshall County, was received and has been assigned the file number noted above.

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

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

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

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

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

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

Sincerely,

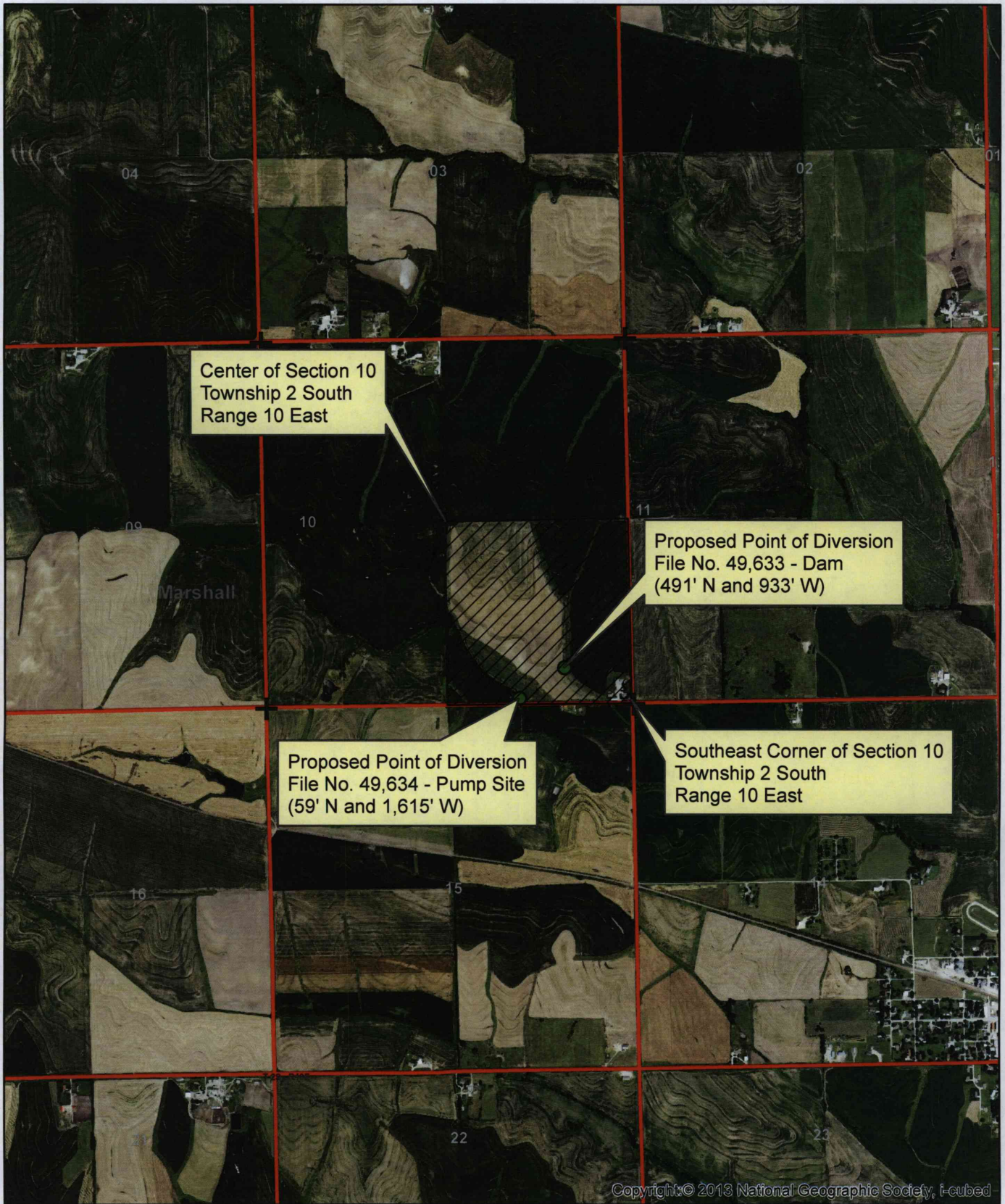
A handwritten signature in black ink that reads "Brent A. Turney". The signature is written in a cursive style.

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

KAK: DLW
pc: TOPEKAField Office
GMD

SCANNED

TERRY ROTTINGHAUS - FILE NOS. 49,633 AND 49,634
 Section 10, Township 2 South, Range 10 East
 Marshall County



Center of Section 10
 Township 2 South
 Range 10 East

Proposed Point of Diversion
 File No. 49,633 - Dam
 (491' N and 933' W)

Proposed Point of Diversion
 File No. 49,634 - Pump Site
 (59' N and 1,615' W)

Southeast Corner of Section 10
 Township 2 South
 Range 10 East



Proposed Place of Use



Proposed Point of Diversion

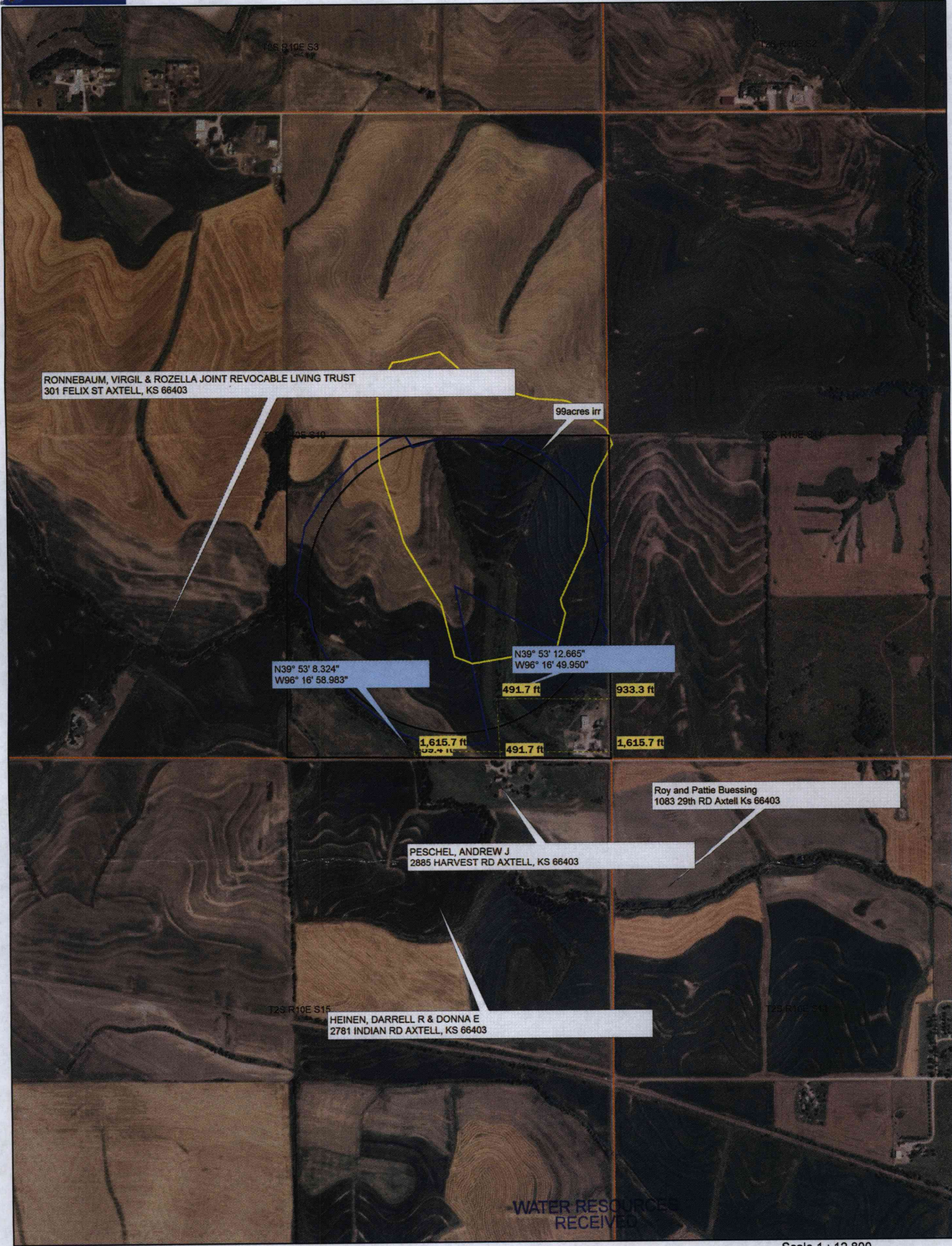
1:24,000

All known landowners adjacent to the stream
 within one-half mile upstream and downstream
 of the property lines have been shown. * see

attached map

rus/dwr

49, 633



RONNEBAUM, VIRGIL & ROZELLA JOINT REVOCABLE LIVING TRUST
301 FELIX ST AXTELL, KS 66403

99 acres irr

N39° 53' 8.324"
W96° 16' 58.983"

N39° 53' 12.665"
W96° 16' 49.950"

491.7 ft 933.3 ft

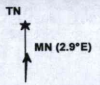
1,615.7 ft 491.7 ft 1,615.7 ft

Roy and Pattie Buessing
1083 29th RD Axtell Ks 66403

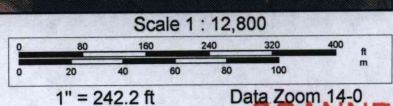
PESCHEL, ANDREW J
2885 HARVEST RD AXTELL, KS 66403

HEINEN, DARRELL R & DONNA E
2781 INDIAN RD AXTELL, KS 66403

WATER RESOURCES
RECEIVED



MAY 09 2016



Downstream

49,633 +
49,634

Print Page


[Back to Search Page](#) --- [Home](#)

Parcel Search Results (Click on the Parcel ID Number for Detailed Results)

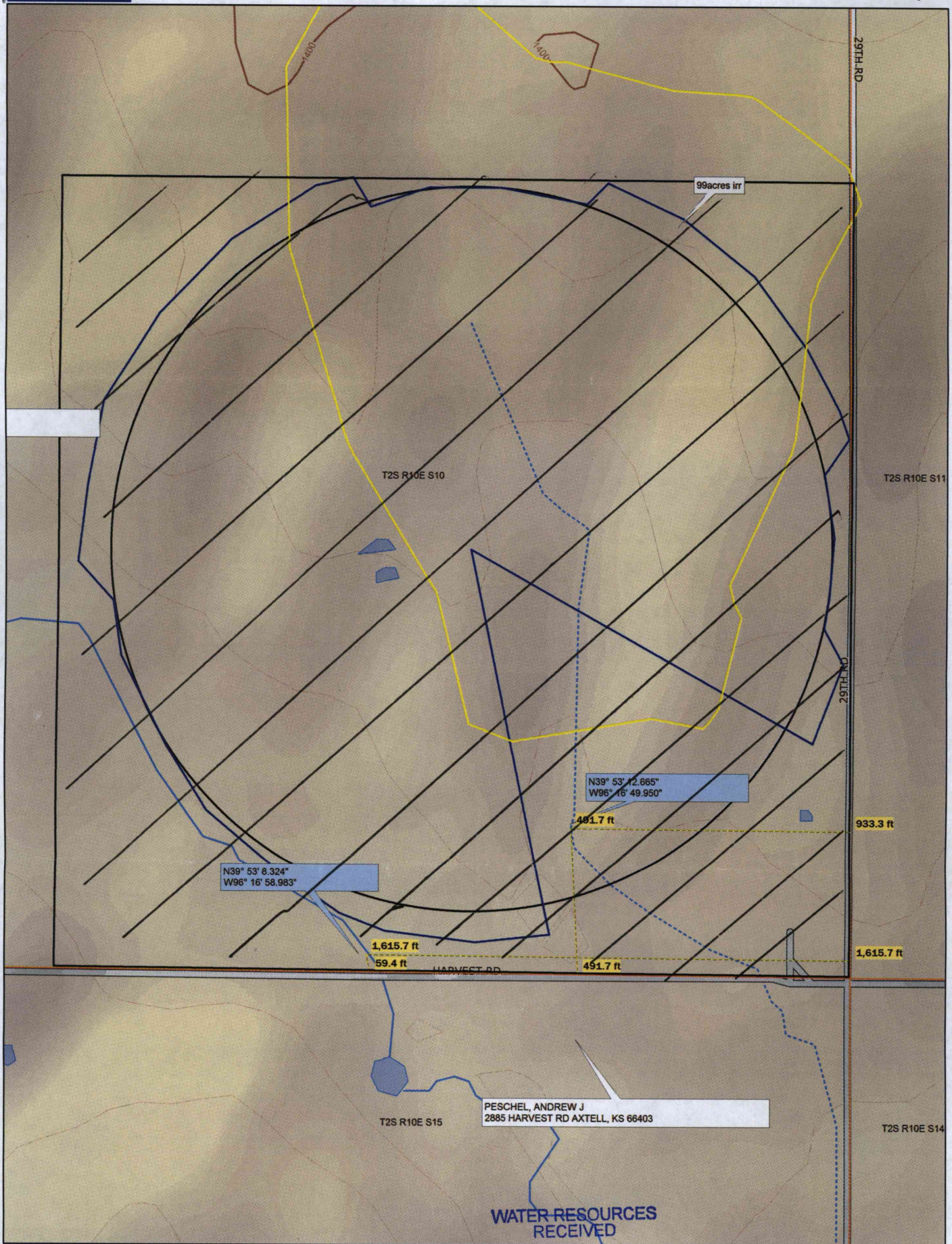
Owner Information	Property Address	Property Description	Apr Amount	Prop Class
<p>058-105-15-0-00-00-001.00-0 Quick Ref ID = 4715 Tax Year = 2016 HEINEN, DARRELL R & DONNA E</p> <p>Owner Mailing Address: 2781 INDIAN RD AXTELL, KS 66403</p>	<p>00000 29TH RD, Axtell, KS 66403 ACRES=284.7 Neighborhood=175</p>	<p>S15, T02, R010, ACRES 284.7, E2 SEC LESS BEG 25'S & 25'W NE COR SEC TH S400' W925' WLY100' NWLY ALONG CRK TO N LINE OF SEC TH E1570' TO POB & LESS BEG 25'W & 40'N SE COR SE4 TH W465' N677' E465' S677' TO POB & LESS R/W</p>	<p>\$97,530</p>	<p>Agricultural Use</p>
<p>058-105-15-0-00-00-001.01-0 Quick Ref ID = 4716 Tax Year = 2016 PESCHEL, ANDREW J</p> <p>Owner Mailing Address: 2885 HARVEST RD AXTELL, KS 66403</p>	<p>2885 HARVEST RD, Axtell, KS 66403 ACRES=13.3 Neighborhood=175</p>	<p>S15, T02, R010, ACRES 13.3, BEG 25'S & 25'W NE COR SEC TH S400' W925' WLY100' NWLY ALONG CREEK TO N LINE OF SEC TH E 1570' TO POB</p>	<p>\$5,870 A \$48,450 F</p>	<p>Farm Homesite</p>
<p>058-105-15-0-00-00-001.02-0 Quick Ref ID = 305233 Tax Year = 2016 HEINEN, JEFFREY J</p> <p>Owner Mailing Address: 2892 INDIAN RD AXTELL, KS 66403</p>	<p>2892 INDIAN RD, Axtell, KS 66403 ACRES=4.2 Neighborhood=175</p>	<p>S15, T02, R010, ACRES 4.2, BEG 25'W & 40'N SE COR SE4 TH W465' N405' E465' S405' TO POB</p>	<p>\$62,250 C \$53,880 R</p>	<p>Commercial & Industrial</p>
<p>058-105-15-0-00-00-001.03-0 Quick Ref ID = 308198 Tax Year = 2016 HEINEN, JEFFREY J. & AMY L.</p> <p>Owner Mailing Address: 2892 INDIAN RD AXTELL, KS 66403</p>	<p>00000 29TH RD, Axtell, KS 66403 ACRES=2.9 Neighborhood=175</p>	<p>S15, T02, R010, ACRES 2.9, BEG 445'N & 25'W SE COR SE4 TH N272' W465' S272' E465' TO POB</p>	<p>\$7,040</p>	<p>Vacant</p>
<p>058-105-15-0-00-00-002.00-0 Quick Ref ID = 4717 Tax Year = 2016</p>	<p>00000 HARVEST RD, Axtell, KS 66403 ACRES=152 Neighborhood=175</p>	<p>S15, T02, R010, ACRES 152, NW4 LESS R/W</p>	<p>\$59,910</p>	<p>Agricultural Use</p>

HAVERKAMP, THOMAS & MARY BETH Owner Mailing Address: 957 168TH RD SENECA, KS 66538				
058-105-15-0-00- 00-003.00-0 Quick Ref ID = 4718 Tax Year = 2016 BUESSING, MAURICE & LINDA Owner Mailing Address: 2844 INDIAN RD AXTELL, KS 66403	2844 INDIAN RD, Axtell, KS 66403 ACRES=155.7 Neighborhood=175	S15, T02, R010, ACRES 155.7, SW4 LESS R/W	\$77,000 A \$125,000 F	Farm Homesite

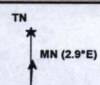
[Back to Search Page](#) --- [Home](#)

Parcel Search powered by  THOMSON REUTERS

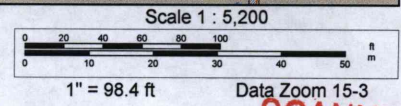
49,033



Data use subject to license.
 © DeLorme. XMap® 8.
 www.delorme.com



MAY 09 2016



49,633

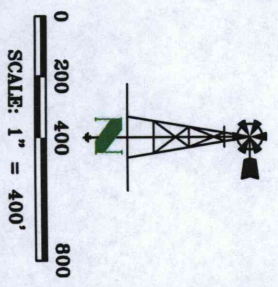
2

TOPOGRAPHIC SURVEY
 Compute Proposed Stream Obstruction Volume in the Southeast One-Quarter of Section 10,
 Township 2 South, Range 10 East of the
 Sixth Principal Meridian, Marshall County, Kansas



Water Level at Elev. 1352'

Site Benchmark
 5/8" rebar with Control Point cap
 GPS Elevation: 1327.95'
 LIDAR Elevation: 1328.52'



**WATER RESOURCES
 RECEIVED**

MAY 09 2016

SHEET 2 OF 2 JOB NO. 5282.66	DATE: 04/11/16 DWN. BY: BRENT CHK. BY: MARCY	FIELD ONE: 04/06/16 SCALE: 1"=400' PREPARED FOR: MWI - Terry Rottinghaus	JORGENSEN SURVEYING 73051 617 Ave Tecumseh, NE 68450 (402) 335-2033 jorgensensurveying@gmail.com	THIS DRAWING ORIGINALLY CREATED AT SPECIFIED SCALE. IF LINE BELOW DOES NOT MEASURE 1 INCH, DRAWING HAS BEEN REDUCED. ORIGINAL DRAWING SIZE: 1 INCH
	Stream Obstruction SE 1/4 Sec 10, T2S, R10E Marshall County, Kansas			KS DEPT OF AGRICULTURE

SCANNED

491633

Hydrule
3.9 Liter

File permit

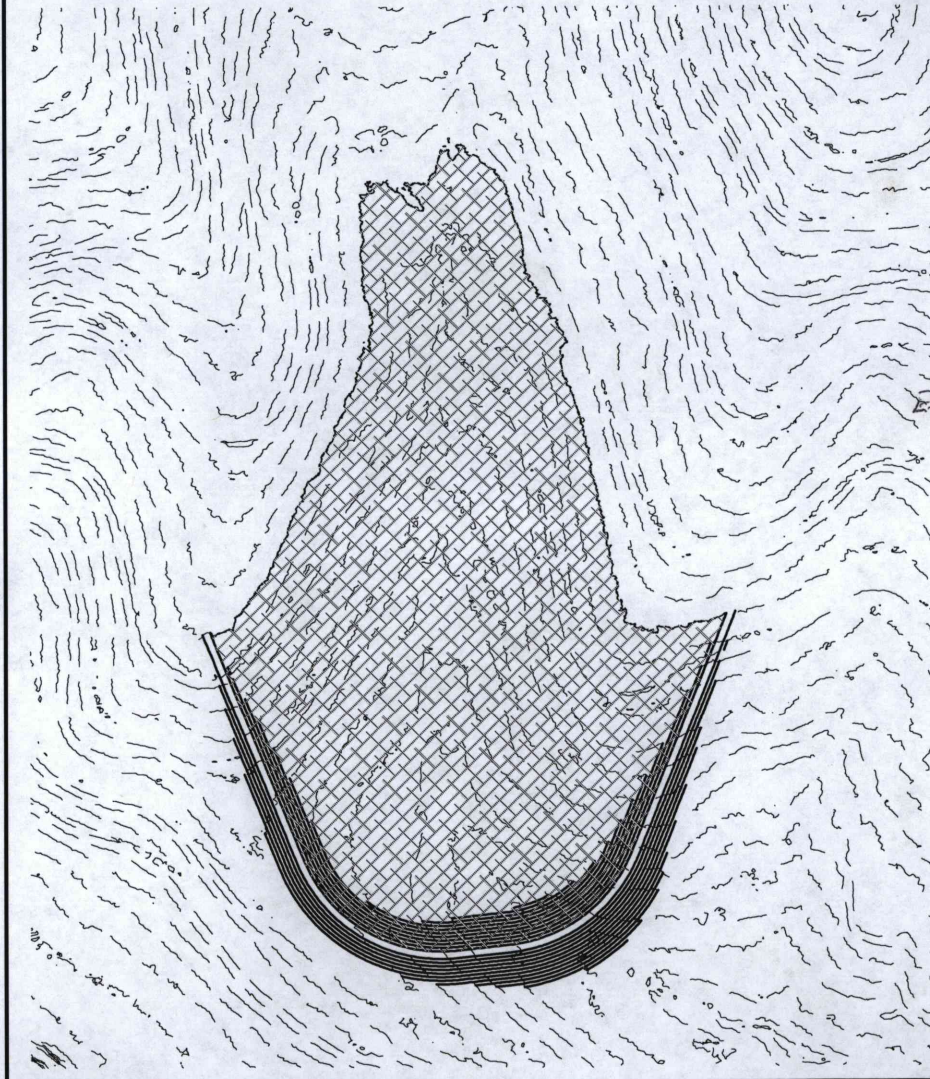
WATER RESOURCES
RECEIVED

MAY 09 2016

DEPT OF AGRICULTURE

SCANNED

TOPOGRAPHIC SURVEY
 Compute Proposed Stream Obstruction Volume in the Southeast One-Quarter of Section 10,
 Township 2 South, Range 10 East of the
 Sixth Principal Meridian, Marshall County, Kansas



Contour	Area	1' Volume	Total Volume	Ac. Ft.	Embankment	Height
1330	-	-	-	-	-	-
1331	247.20	123.60	123.600	0.00284		1.86
1332	1,407.62	827.41	951.010	0.02183		2.86
1333	7,548.69	4,478.16	5,429.165	0.12464		3.86
1334	17,430.18	12,489.44	17,918.600	0.41135		4.86
1335	31,725.53	24,577.86	42,496.455	0.97558		5.86
1336	47,293.68	39,509.61	82,006.060	1.88260		6.86
1337	76,215.76	61,754.72	143,760.780	3.30029		7.86
1338	103,766.44	89,991.10	233,751.880	5.36620		8.86
1339	137,552.70	120,659.57	354,411.450	8.13617		9.86
1340	165,691.10	151,621.90	506,033.350	11.61693		10.86
1341	190,606.19	178,148.65	684,181.995	15.70666		11.86
1342	220,604.60	205,605.40	889,787.390	20.42671		12.86
1343	253,159.74	236,882.17	1,126,669.560	25.86477		13.86
1344	286,285.57	269,722.66	1,396,392.215	32.05675		14.86
1345	321,789.47	304,037.52	1,700,429.735	39.03650	11,554	15.86
1346	354,491.15	338,140.31	2,038,570.045	46.79913	13,870	16.86
1347	391,748.04	373,119.60	2,411,689.640	55.36478	16,459	17.86
1348	434,346.97	413,047.51	2,824,737.145	64.84704	19,354	18.86
1349	475,152.53	454,749.75	3,279,486.895	75.28666	22,559	19.86
1350	524,885.28	500,018.91	3,779,505.800	86.76551	26,078	20.86
1351	572,608.66	548,746.97	4,328,252.770	99.36301	29,946	21.86
1352	626,023.08	599,315.87	4,927,568.640	113.12141	34,168	22.86



SCALE: 1" = 200'

General Notes for Site:
 Field verification of LIDAR elevation data on 04/06/16
 Correlation on GPS points shot: -0.57 (GPS-LIDAR)
 Maximum: 0.73 Minimum: -0.39
 99% of Points (GPS-LIDAR) between +0.5 and -0.5
 Front toe of stream obstruction elevation: 1330.20'
 Rear toe of stream obstruction elevation: 1329.14'
 Assumed top of structure width: 12'
 Assumed front and back slope: 3:1

LAND SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THIS SURVEY
 WAS DONE BY THE UNDERSIGNED, AND
 THAT THE SURVEY WAS DONE ON THE
 GROUND ON 04/06/16.



THIS DRAWING ORIGINALLY CREATED AT
 SPECIFIED SCALE. IF LINE BELOW DRAWING
 MEASURE 1 INCH, DRAWING HAS BEEN
 REDUCED.
 ORIGINAL DRAWING
 SIZE: 1 INCH

**JORGENSEN
 SURVEYING**
 73051 617 Ave
 Tecumseh, NE 68450
 (402) 335-2033
 jorgensensurveying@gmail.com

Stream Obstruction
 SE 1/4 Sec 10, T2S, R10E
 Marshall County, Kansas
 PREPARED FOR
 MWI - Terry Rottinghaus

SCALE	1"=200'
FIELD ON:	04/06/16
CHK. BY	MARCY
DWN. BY	BRENT
DATE:	04/11/16
SHEET	1 OF 2
JOB NO.	5262.66