

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

1. File Number: <div style="text-align: center; font-weight: bold; font-size: 1.2em;">49,873</div>	2. Status Change Date: <div style="text-align: center; font-size: 1.2em;">3/12/2018</div>	3. Field Office: <div style="text-align: center; font-weight: bold; font-size: 1.2em;">01</div>	4. GMD: <div style="text-align: center; font-weight: bold; font-size: 1.2em;">0</div>
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
7a. Applicant(s) New to system <input type="checkbox"/>  Person ID <b>60562</b> Add Seq# _____  ROGER & NORMA ROCKERS LIVING TRUST 29645 NW MARYLAND RD GARNETT KS 66032	7c. Landowner(s) New to system <input type="checkbox"/>  Person ID <b>60564</b> Add Seq# _____  CLARA C ROCKERS TRUST ROGER ROCKERS 26945 NW MARYLAND RD GARNETT KS 66032-8970	7d. Landowner(s)  Person ID <b>65619</b>  CAROL ASKINS-BELLER 104 S MAPLE GARNETT KS 66032	7e. Landowner(s)  Person ID <b>60563</b>  MERLE F & HELEN ROCKERS LIVING TRUST 29662 NW IOWA RD GARNETT KS 66032
7b. Landowner(s) New to system <input type="checkbox"/>  <b>7a.</b>	Person ID _____ Add Seq# _____  Notarized WUC Form <input type="checkbox"/>	9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Groundwater <input checked="" type="checkbox"/> Surface Water <input checked="" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN <input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON <input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG <input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____	
8. WUR Correspondent New to system <input type="checkbox"/> Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No			
10. Completion Date: <u>12/31/2019</u> 11. Perfection Date: <u>12/31/2023</u> 12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    Date Required: _____    Date Approved: _____    Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    Date to Comply: _____    Date WLMD Installed: _____			
Date Prepared: <b>2/19/2018</b> By: <b>DWS</b> Date Entered: <b>3/14/2018</b> By: <b>UM</b>			

File No. **49,873**      15. Formation Code:      Drainage Basin: POTTAWATOMIE CREEK      County: AN      Special Use:      Stream: POTTAWATOMIE CREEK TRIB 12B (POTTAWATOMIE)

16. Points of Diversion										17. Rate and Quantity					
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized		Additional		
											Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
MOD	81274	NW	NW	NW	10	20	19E	1	4991	5168	1500	164	1500	50	48,516*

18. Storage: Rate **NF**      Quantity **234** ac/ft      Additional Rate **NF**      Additional Quantity **234** ac/ft

19. Limitation: **164** af/yr at \_\_\_\_\_ gpm (\_\_\_\_\_ cfs) when combined with file number(s) **47,225 (For Direct IRR use)**  
 Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm (\_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_

20. Meter Required?  Yes     No      To be installed by **12/31/2019**      Date Acceptable Meter Installed \_\_\_\_\_

21. Place of Use							NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files		
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					
√	68466	3	20	19E	1																			28	28	7d.	No	47,225*
√	60235	10	20	19E	1	3	18	29	7							5	24	5	1.5	92.5	7e.	No	47,225*					
√	60236	10	20	19E	2											18			3.5	21.5	7c.	No	47,225*					
√	68465	10	20	19E	3				22											22	7a.	No	47,225*					

Comments **\*FILE # 48,516 WILL BE DISMISSED IN CONJUNCTION WITH APPROVAL OF THIS NEW APPLICATION.**

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

**TO:** Files

**DATE:** February 19, 2018

**FROM:** Doug Schemm

**RE:** Application, File No. 49,873 and 48,516

Norma Rockers has filed the application referred to above for a permit to appropriate 234 acre-feet of surface water at the rate of natural flows and re-divert 164 acre-feet of the stored water for irrigation use at an approximate rate of 1,500 gallons per minute. The water will be stored in an existing reservoir located in the Northwest Quarter of Section 10, in Township 20 South, Range 19 East, Anderson County, Kansas. The dam is located on Pottawatomie Creek Trib 12B, within the Pottawatomie Creek basin. The applicant has signed the application stating she has legal access to the point of diversion. The place of use is owned by the Merle & Helen Rockers Living Trust; the Clara C Rockers Trust; Roger & Norma Rockers Living Trust; and Carol Askin-Beller, and it comprises a total of 164 acres.

File No. 47,225 will overlap in place of use (after change in place of use). Note that File No. 47,225 authorizes a second nearby reservoir, however based on discussions with the owner no water is transferred between the two reservoirs (i.e. they are not connected in any way). Currently, File No. 48,516 overlaps in place of use and point of diversion, but it will be dismissed upon approval of the new application. A Findings and Order will be prepared for this dismissal.

Runoff computations for the senior file, using a normal annual precipitation of 39 inches, and a soil complex number of 78, determined the potential runoff per acre was 19 inches. Therefore, for Application, File No. 49,873, the 180 acre drainage basin x 19 inch runoff per acre / 12 inches will provide for 285 AF potential runoff in 1 out of every five (5) years (a 20% chance). Therefore, per K.A.R. 5-6-5, this runoff quantity **IS NOT** the limiting factor, and the application can be processed as proposed. Per K.A.R. 5-6-5, if the maximum annual quantity of water requested for storage exceeds the reservoir capacity, the maximum annual quantity of water authorized to be diverted and stored in any one year shall not exceed the total of the following:

1. The annual quantity of water rediverted for beneficial use (164 acre-feet);
2. The reservoir capacity (64 acre-feet); and
3. One year of indirect use from the reservoir (i.e. net evap + seepage = 5.4 acre-feet).

The requested quantity of 234 acre-feet is the sum of these three items (164 AF + 64 AF + 5.4 AF). The proposed storage quantity of 234 acre-feet, is equivalent to 3.7 times the capacity, well within the normal "rule of thumb" of storage quantity being no more than 5 times capacity for reasonable storage quantity. The proposed redirection rate of 1,500 gpm appears reasonable for this project the actual redirection rate will be determined during the perfection period.

As noted above, this new application will have a complete overlap in place of use with Appropriation of Water, File No. 47,225, after change in place of use approval on the senior file. File No. 47,225 is authorized 114 acre-feet of direct use. The requested quantity of 164 acre-feet for the new application to be rediverted for direct irrigation use, equals the maximum quantity of water considered to be reasonable to irrigate 164 acres in Anderson County, as provided by K.A.R. 5-3-24 (1 AF/acre). Therefore, the direct use authorized by this application will be further limited to a quantity, which combined with Appropriation of Water, File No. 47,225, will provide a total not to exceed 164 acre-feet on the place of use. The new application will authorize 50 acre-feet of additional quantity for direct use.

The applicant owns all of the land upstream of the proposed reservoir (the stream does not extend off their property upstream). One landowner within one-half mile downstream of the applicant's property was notified of the applicant's intention to appropriate water in a letter sent on January 23, 2018. No response of any kind was received.

The WRIS database indicates that there are no other water rights within two miles of the proposed point of diversion other than the applicant's second reservoir. Therefore, approval of this application would not impact any senior water rights.

Information was provided to the DWR Structures Program to determine whether any structures permits are required for this reservoir (Structures File No. DAN-0079). The dam was determined to be exempt from dam safety permit requirements specified in K.S.A. 82a-301(a), and the dam has been properly registered.

In a February 16, 2018 e-mail, Katie Tietsort, Water Commissioner, Topeka Field Office, stated that the referenced new application should be approved. Based on the above discussion, that this area is open to new appropriations, the proposed appropriation of water is reasonable, the dam is exempt from permitting under the DWR Water Structures Program, and senior rights will not be impacted, it is recommended that the referenced new application be approved, in conjunction with the dismissal of File No. 48,516.

Doug Schemm  
Environmental Scientist  
Topeka Field Office

# STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 15, 2018

NORMA ROCKERS  
29645 NW MARYLAND RD  
GARNETT KS 66032

**FILE COPY**

Re: Appropriation of Water, File No. 49,873

Dear Ms. Rockers:

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

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approval documents. A water meter is required on the proposed re-diversion works and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed. All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00. There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right. If you have any questions, please contact our office. If you wish to discuss this specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum  
New Application Unit Supervisor  
Water Appropriation Program

KAB:dws  
Enclosures

pc: Topeka Field Office  
Clara C Rockers Trust  
Carol Askins-Beller  
Merle & Helen Rockers Living Trust

**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)

This is to certify that I have examined Application, **File No. 49,873** of the applicant

**NORMA ROCKERS**  
**29645 NW MARYLAND RD**  
**GARNETT KS 66032**

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 **July 17, 2017**.
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	
3 20S 19E												28					28
10 20S 19E	3	18	29	7	22								23	24	5	5	136

3. That the appropriation sought shall be limited to all natural flows of an unnamed tributary to Pottawatomie Creek, designated in the office of the Chief Engineer as Pottawatomie Creek Trib 12B, 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 **234 acre-feet** per calendar year in one (1) reservoir created by a dam located in the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW¼ NW¼ NW¼) of Section 10, more particularly described as being near a point 4,991 feet North and 5,168 feet West of the Southeast corner of said section, in Township 20 South, Range 19 East, Anderson County, Kansas, to provide **164 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 **1,500 gallons per minute (3.34 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, 2019** 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, 2023** 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.

16. That the quantity of water approved under this permit is further limited to the quantity which combined with Appropriation of Water, File No. 47,225, will provide a **total not to exceed 164.0 acre-feet** of water per calendar year for direct irrigation use on the land described herein.

**RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW**

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

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

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

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

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

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

Ordered this 24<sup>th</sup> day of March, 2018, in Topeka, Shawnee County, Kansas.

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 12<sup>th</sup> day of March, 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Notary Public



### CERTIFICATE OF SERVICE

On this 15<sup>th</sup> day of March, 2018, I hereby certify that the foregoing Approval of Application, File No. 49,873, dated March 12<sup>th</sup>, 2018 was mailed postage prepaid, first class, US mail to the following:

ROGER & NORMA ROCKERS LIVING TRUST  
29645 NW MARYLAND RD  
GARNETT KS 66032

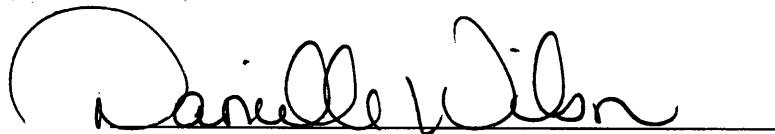
With photocopies to:

CLARA C ROCKERS TRUST  
ROGER ROCKERS  
26945 NW MARYLAND RD  
GARNETT KS 66032-8970

CAROL ASKINS-BELLER  
104 S MAPLE  
GARNETT KS 66032

MERLE F & HELEN ROCKERS LIVING TRUST  
29662 NW IOWA RD  
GARNETT KS 66032

Topeka Field Office



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 49873  
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

JUL 17 2017

1:24

**APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE**

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

APPLICATION COMPLETE  
2/16/18  
Reviewer KAB For DWS

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): NORMA ROCKERS  
Address: 29645 NW MARYLAND RD  
City: GARNETT State KS Zip Code 66032  
Telephone Number: (785) 448-8639

2. The source of water is:  surface water in Pottawatomie Creek Trib 12B  
(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 Storage: 234 AF / Direct Use: 164 AF acre-feet per calendar year,  
to be diverted at a maximum rate of Storage: All Nat Flows / Re-diversion: 1500 gallons per minute.

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.	<u>1</u>	GMD	<u>0</u>	Meets K.A.R. 5-3-1 (YES/NO)	Use <u>IRR</u>	Source <u>G/S</u>	County <u>AW</u>
Code	<u>000</u>	<u>RES</u>	Fee \$	<u>300</u>	TR #	Receipt Date	<u>7/17/17</u>
						By <u>AW</u>	Date <u>7/19/17</u>
						Check #	<u>1020</u>

7/19/2017 LLM SCANNED

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

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

- (A) One in the NW quarter of the NW quarter of the NW quarter of Section 10, more particularly described as being near a point 4991 feet North and 5168 feet West of the Southeast corner of said section, in Township 20 South, Range 19 East, Anderson 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):

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 July 12, 2017. Norma Rockers  
 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 one dam  
 (number of wells, pumps or dams, etc.)  
 and was completed (by) February 9, 2014

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

JUL 17 2017

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

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

- (A) One in the NW quarter of the NW quarter of the NW quarter of Section 10, more particularly described as being near a point 4911 feet North and 5075 feet West of the Southeast corner of said section, in Township 20 South, Range 19 East, Anderson 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):

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 July 12, 2017. Norma Lockers  
 \_\_\_\_\_  
 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 one dam  
 \_\_\_\_\_  
 (number of wells, pumps or dams, etc.)  
 and was completed (by) February 9, 2014  
 \_\_\_\_\_  
 (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 Upon approval.  
 \_\_\_\_\_  
 (Mo./Day/Year)

JUL 17 2017

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 \_\_\_\_\_

This existing structure will be reviewed by the DWR Water Structures Program to determine whether additional permitting is 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.

File Number 47,225 overlaps the same place of use (with PU change).

File Number 48,516 which overlaps the same point of diversion and place of use will be dismissed upon approval of this application.

WATER RESOURCES  
RECEIVED

JUL 17 2017

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 & tenant  
(owner, tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

Merle F & Helen Rockers 29662 NW Iowa Rd Garnett, KS 66032  
(name, address and telephone number)

Clara C Rockers Trust 22284 NW 2050 RD Garnett, KS 66032  
(name, address and telephone number)

Carol Askins-Beller 104 S Maple Garnett, KS 66032  
(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 Garnett, Kansas, this 12 day of July, 2017.  
(month) (year)

Norma Rockers  
(Applicant Signature)

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

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

Assisted by Lloyd Hemphill TFO/ESII Date: 4/17/17  
(office/title)

WATER RESOURCES  
RECEIVED

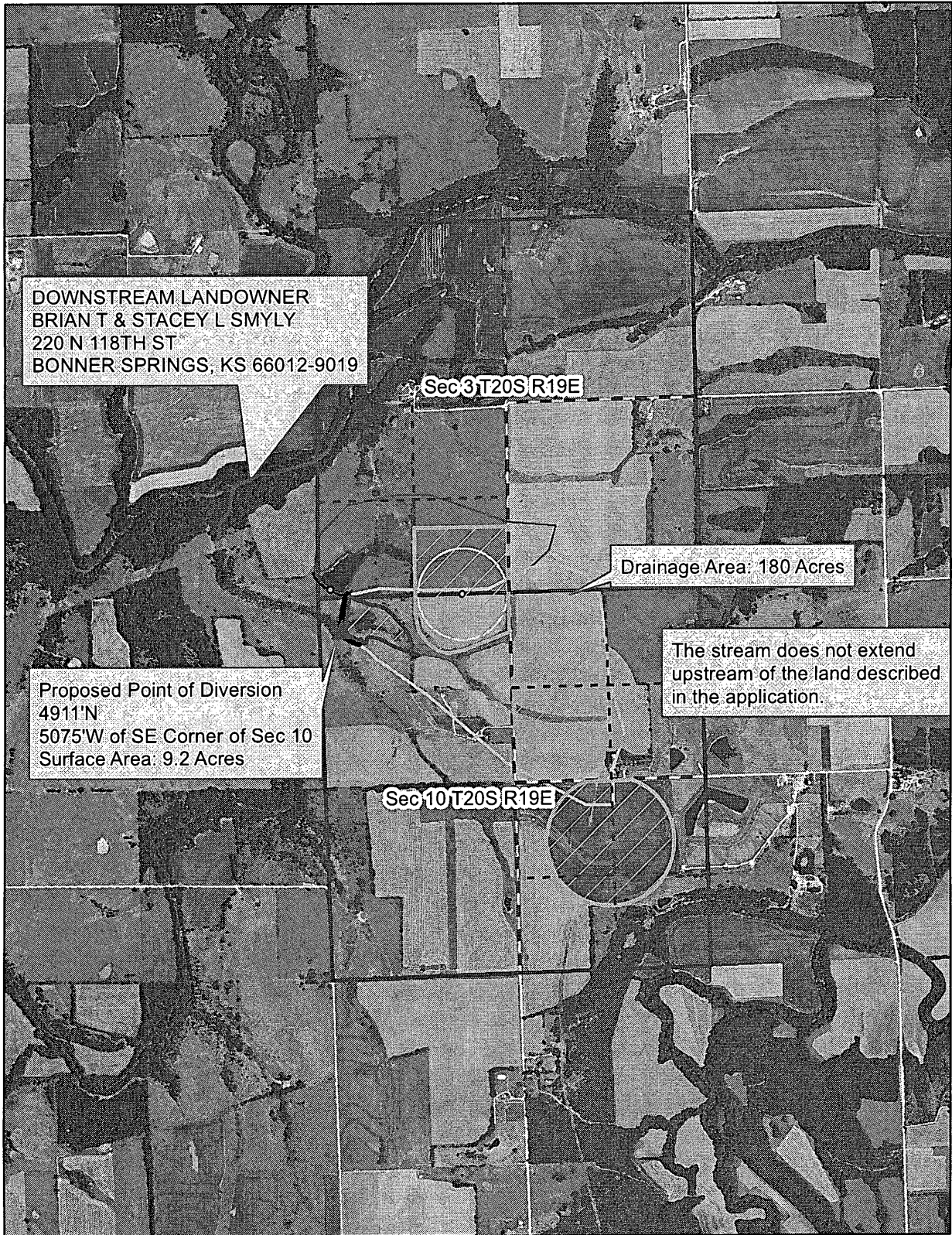
JUL 17 2017


KS DEPT OF AGRICULTURE

SCANNED

# New Application Site Map- Rockers

49873



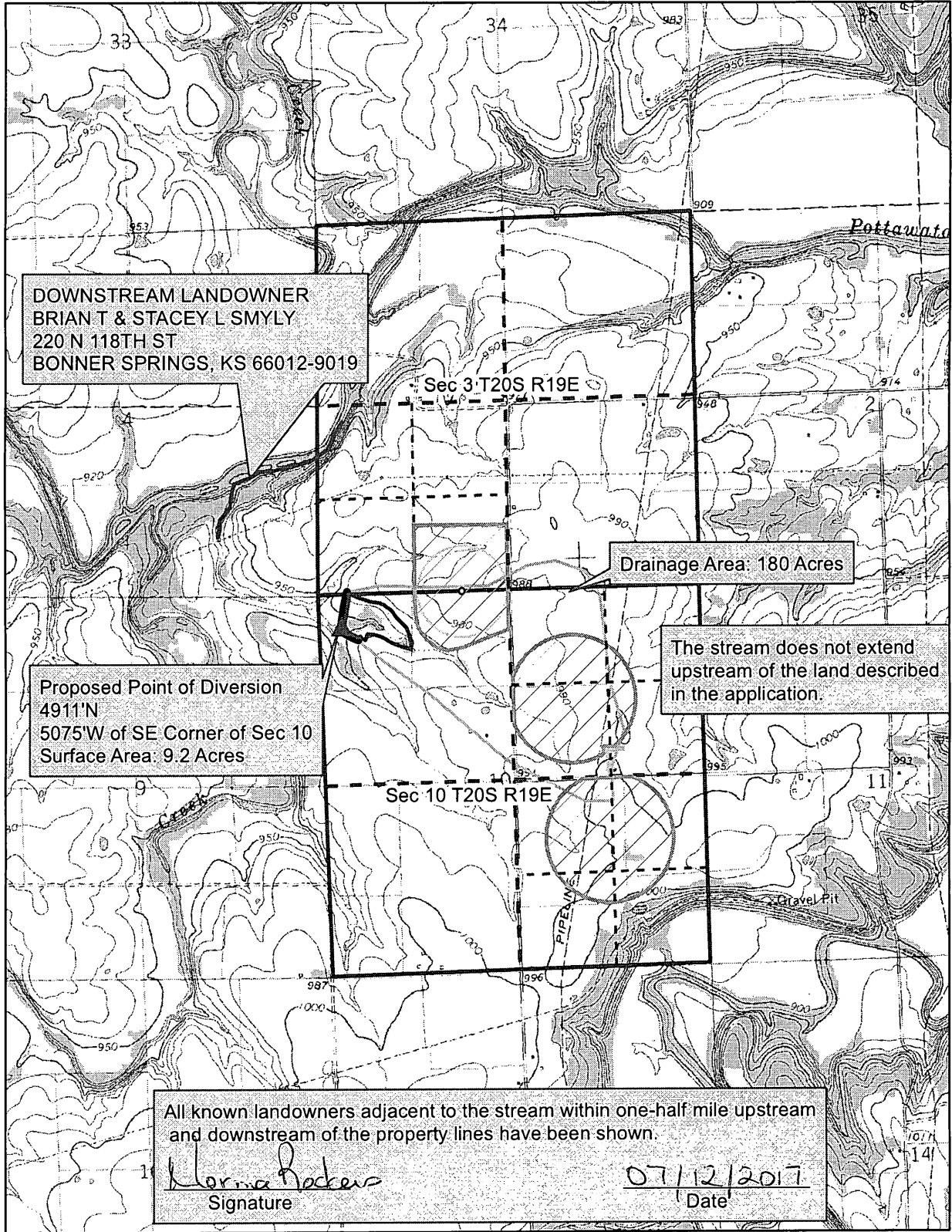
 Proposed Place of Use (164 ac.)  
Map prepared by LHH/TFO 4-17-17




1:24,000 WATER RESOURCES RECEIVED  
0 0.5 Mile  
JUL 17 2017

49873

# New Application Site Map- Rockers



 Proposed Place of Use (164 ac.)  
 Map prepared by LHH/TFO 4-17-17



WATER RESOURCES  
 RECEIVED  
 0.5  
 JUL 17 2017 1 Mile

KS DEPT OF AGRICULTURE  
 SCANNED



**IRRIGATION USE  
SUPPLEMENTAL SHEET**

File No. 49873

Name of Applicant (Please Print): Norma Rockers

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: MERLE F & HELEN ROCKERS Living Trust  
 ADDRESS: 29662 NW IOWA RD GARNETT KS 66032

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	20S	19E	3	18	29	7										5	24	5	1.5	92.5

**Landowner of Record** NAME: CLARA C ROCKERS TRUST  
 ADDRESS: 22284 NW 2050 RD GARNETT KS 66032

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	20S	19E														18			3.5	21.5

**Landowner of Record** NAME: ROGER & NORMA ROCKERS LIVING TR  
 ADDRESS: 29645 NW MARYLAND RD GARNETT KS 66032

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	20S	19E					22													22

**Landowner of Record** NAME: CAROL ASKINS - BELLER  
 ADDRESS: 104 S MAPLE GARNETT 66032

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
3	20S	19E																	28	28

**Total Acres: 164 ac.**

JUL 17 2017

#49,873

**Schemm, Doug [KDA]**

---

**From:** Tietsort, Katie [KDA]  
**Sent:** Friday, February 16, 2018 9:05 AM  
**To:** Schemm, Doug [KDA]  
**Subject:** RE: Norma Rockers 49,873

Doug,

This one looks fine to move forward. IT meets the KWAA requirements and the metering has been addressed. Appreciate everyone's efforts.

Thanks, Katie

Katie Tietsort

Kansas Department of Agriculture  
6531 SE Forbes Ave Ste B  
Topeka, KS 66619  
[katie.tietsort@ks.gov](mailto:katie.tietsort@ks.gov)  
Phone 785-296-5733

*Achiever~Responsibility~Input~Relator~Arranger*

---

**From:** Schemm, Doug [KDA]  
**Sent:** Wednesday, February 7, 2018 11:20 AM  
**To:** Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>  
**Subject:** Norma Rockers 49,873

Standard storage and redirection. The applicant has stated that there is no connection to her other nearby reservoir permitted under the senior file. This approval will have standard wording about metering the redirection of water. Simply replacing previous file #48,516.

  
**Kansas**  
Department of Agriculture  
*Division of Water Resources*

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) 296-8298  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Sam Brownback, Governor

January 23, 2018

BRIAN & STACEY SMYLY  
220 N 118<sup>TH</sup> ST  
BONNER SPRINGS KS 66012-9019

Re: Pending New Application, File No. 49,873; and  
Application to Change the Place of Use, File No. 47,225

Dear Sir or Madam:

This is to advise you that Norma Rockers has filed the new application referred to above for a permit to appropriate 234 acre-feet of surface water per calendar year to be stored in an existing reservoir, and re-divert 164 acre-feet of the stored water for irrigation use. The point of diversion (where the dam crosses the centerline of the stream) is located in the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section 10, Township 20 South, Range 19 East, Anderson County, Kansas. This reservoir is currently authorized under File No. 48,516. The pending change application for File No. 47,225 will modify the place of use to match the expanded new application irrigation project.

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 can find the applications and the site maps posted by the file numbers referenced above at:  
<http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices>

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,



Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

pc: Norma Rockers

DIVISION OF WATER RESOURCES—KANSAS DEPARTMENT OF AGRICULTURE  
**FIELD INSPECTION REPORT**

Field Office No. 1  
G.M.D. No. \_\_\_\_\_

Full  
 Partial  
 Compliance Investigation: **New App**  
(In Compliance/Not In Compliance)

Test 1 of 1 diversion points. County Anderson

File No. 47225 485 KP Inspection Date 7-28-14 Inspector ACJ

Current Landowner Leslie & Clara Rockers / Merle F & Helen Rockers Phone No. (785) 448-8836

Address Roger Rockers 29645 NW Maryland Rd Garnett, KS 66032/ 29662 NW Iowa Rd. Garnette, KS 66032  
 Additional landowners and addresses identified in remarks section.

Water Use  Domestic  Industrial  Irrigation  Municipal  Hydraulic Dredging  
Classification:  Recreation  Stockwatering  Water Power  Artificial Recharge  Contamination Remediation  
 Dewatering  Fire Protection  Thermal Exchange  Sediment Control  Other \_\_\_\_\_

Source:  Groundwater  Surface Water Basin/Stream Pottawatomie Creek Trib 12 (Pottawatomie Creek)

Authorized Point of Diversion: NW NW NW Sec. 10, T. 20 S, R. 19 E ID No. 1  
Approximately 4940 ft. North and 4900 ft. West of SE corner of Sec. 10

Actual Point of Diversion: NW NW NW Sec. 10, T. 20 S, R. 19 E  
Approximately 4991 ft. North and 5168 ft. West of SE corner of Sec. 10

How were distances determined? GPS data Latitude 38.331210 Longitude 95.303780

"Approved" Quantity 114 AF "Approved" Diversion Rate 1000 g.p.m. (2.23 c.f.s.)

"Approved" Storage Quantity 153.8 AF "Approved" Storage Rate Natural Flow

Limitation(s): limited to 114 acre/feet when combined with File No. 47,225

Priority Date 3-6-13 Approval Date 11-18-13 Perfection Date 12-31-18

Other applications covering land and/or point of diversion PU - 47,225  
(include discussion of overlapping files in remarks section)

**LAND TO BE INCLUDED ON CERTIFICATE:**

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
10	20S	19E	3	18	29	7										23	24	5	5	114

**LAND IRRIGATED - YEAR OF RECORD**

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
10	20S	19E	3	18	29	7										23	24	5	5	114

**TESTED DIVERSION RATES**

Maximum G.P.M. 479 (c.f.s. 1.06) Normal G.P.M. 479 (c.f.s. 1.06)

**FOR D.W.R. USE ONLY**

Year of Record \_\_\_\_\_

AF Applied = \_\_\_\_\_ hrs. x \_\_\_\_\_ g.p.m. x  $\frac{4.419}{24 \times 1000}$  = \_\_\_\_\_ AF

"Approved" land irrigated \_\_\_\_\_ acres, with \_\_\_\_\_ AF = \_\_\_\_\_ AFacre

Perfected Rate \_\_\_\_\_ g.p.m. ( \_\_\_\_\_ c.f.s.) Perfected Quantity \_\_\_\_\_ AF

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49873 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49873 00 IRR

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

4940 Feet North and 4900 Feet West of the Southeast Corner of Section 10 T 20S R 19E

SURFACE WATER ONLY

```

=====
File Number   Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth_Quan Add_Quan Unit
A__  47225 00 IRR LR S*      567 -- SW SW SW  100 5195  3 20 19E  1      114.00  114.00 AF
A__  48516 00 IRR KE S        0 -- NW NW NW  4940 4900 10 20 19E  1      114.00    .00 AF
A__  49873 00 IRR AY S        0 -- NW NW NW  4940 4900 10 20 19E  1      164.00  164.00 AF
=====

```

```

=====
Total Net Quantities Authorized:   Direct           Storage
Total Requested Amount (AF) =      164.00           234.00
Total Permitted Amount (AF) =         .00           153.80
Total Inspected Amount (AF) =      114.00           156.10
Total Pro_Cert Amount (AF) =         .00             .00
Total Certified Amount (AF) =         .00             .00
Total Vested Amount (AF) =          .00             .00
TOTAL AMOUNT (AF) =                278.00           543.90
=====

```

An \* after the source of supply indicates a pending application for change under the file number.  
 An \* after the ID indicates a 15 AF exemption was granted under the file number.  
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.  
 The number in the Batt column is the number of wells in the battery.

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

4940 Feet North and 4900 Feet West of the Southeast Corner of Section 10 T 20S R 19E

SURFACE WATER ONLY

WATER USE CORRESPONDENTS:

```

=====
File Number   Use ST SR
A__  47225 00 IRR LR S
> ROGER & NORMA ROCKERS LIVING TRUST
>
> 29645 NW MARYLAND RD
> GARNETT KS 66032
>-----
A__  48516 00 IRR KE S
> ROGER & NORMA ROCKERS LIVING TRUST
>
> 29645 NW MARYLAND RD
> GARNETT KS 66032
>-----
A__  49873 00 IRR AY S
> ROGER & NORMA ROCKERS LIVING TRUST
>
> 29645 NW MARYLAND RD
> GARNETT KS 66032
>-----
=====

```

#####

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



#49,873

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

Jackie McClaskey, Secretary

Governor Sam Brownback

October 12, 2017

NORMA ROCKERS  
29645 NW MARYLAND RD  
GARNETT, KS 66032

RE: Low Hazard Dam Registration  
WSN: DAN-0079

Mrs. Rockers:

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 your proposed dam location has been registered in our records.

You reported that your dam is located in the NW1/4 of the NW1/4 of the NW1/4 of Section 10, Township 20 South, Range 19 East in Anderson County. It has been determined by the Division of Water Resources, DWR, that the dam has a height of 24 feet, and a storage volume less than 125 acre-feet at the emergency spillway elevation. We verified that your dam qualifies for the hazard class A permit exemption specified in K.S.A. 82a-301(d)(1). An exemption does not relieve you from complying with other local, state, or federal requirements which may be applicable.

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.

Should you have any questions, please feel free to contact me at (785) 564-6655, or e-mail me at [bridget.paulk@ks.gov](mailto:bridget.paulk@ks.gov).

Sincerely,

A handwritten signature in cursive script that reads "Bridget Paulk".

Bridget Paulk  
Water Structures Engineer

Pc: Lloyd Hemphill, KDA-DWR Topeka Field Office

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

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

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): \_\_\_\_\_ %

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

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

- Center pivot                      \_\_\_\_\_ Center pivot - LEPA                      \_\_\_\_\_ "Big gun" sprinkler
- \_\_\_\_\_ Gravity system (furrows)                      \_\_\_\_\_ Gravity system (borders)                      \_\_\_\_\_ Sideroll sprinkler

Other, please describe: \_\_\_\_\_

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

- (1) Estimate the operating pressure at the distribution system: \_\_\_\_\_ psi
- (2) What is the sprinkler package design rate? \_\_\_\_\_ gpm
- (3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? \_\_\_\_\_ feet
- (4) Please include a copy of the sprinkler package design information.

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

Corn, Soybeans

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

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

WATER RESOURCES RECEIVED

JUL 17 2017

49873

## Attachment A

### Storage Quantity Justification

Estimated Capacity = 64 acre-feet

One Year Direct Use = 164 acre-feet

One Year Evaporation = 7 inches/year X 9.2 acres = 5.4 acre-feet

Total Storage Requested = 64 AF + 164 AF + 5.4 AF = **233.4 acre-feet**

### Potential Annual Runoff, 20% Chance

Normal Annual Precipitation = 39 inches

Soil Complex Number = 78

Runoff/Acre = 19 inches

Acres in Drainage Basin: 180 acres

Potential Runoff = **285 AF**

WATER RESOURCES  
RECEIVED

JUL 17 2017

KS DEPT OF AGRICULTURE

SCANNED



Area-Capacity Reservoir in NW 1/4 of Sec 10 T20S R19E			
Elevation	Area (Acres)	Incremental Volume (AF)	Cumulative Volume (AF)
941.7			
943	0.02	0.02	0.02
945	0.30	0.6	0.6
947	0.93	1.9	2.5
949	1.47	2.9	5.4
951	2.02	4.0	9.5
953	2.59	5.2	14.6
955	3.37	6.7	21.4
957	4.39	8.8	30.2
959	5.94	11.9	42.0
961	8.25	16.5	58.5
961.6	9.17	5.5	64.0
<p><b>*This area-capacity table was derived by LHH/DWR-TFO solely for the purpose of estimating reservoir storage volume to be requested on the Water Appropriation application. Further information may be requested by the DWR Water Structures Program to determine additional Structures permit requirements.</b></p>			
<p><b>*Elevation data was approximated with 2013 (pre-construction) lidar data.</b></p>			
<p><b>*The maximum pool elevation was based on the surface area seen on 2015 NAIP aerial imagery.</b></p>			
<p><b>*The pool side of the dam was assumed to have a 1:2 slope (for estimation only).</b></p>			
<p><b>*The dam height, normal pool elevation, and emergency spillway elevation were not known at the time this table was prepared.</b></p>			

WATER RESOURCES  
RECEIVED

JUL 17 2017

KS DEPT OF AGRICULTURE

SCANNED



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

July 18, 2017

**FILE COPY**

NORMA ROCKERS  
29645 NW MARYLAND RD  
GARNETT KS 66032

RE: Application  
File No. 49873

Dear Sir or Madam:

Your application for permit to appropriate water in 10-20S-19E in Anderson 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,

Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program

BAT: dlw  
pc: TOPEKA Field Office  
GMD

SCANNED