

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

1. File Number: <p style="text-align: center; font-size: 1.2em;">49,919</p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em;"><i>1/17/2018</i></p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;">01</p>	4. GMD: <p style="text-align: center; font-size: 1.2em;">0</p>
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			
<p>7a. Applicant(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID 65756 Add Seq# _____</p> <p>LARRY RONNEBAUM 2986 HARVEST RD AXTELL KS 66403</p>	<p>7c. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p>		
<p>7b. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p> <p>7a.</p>	<p>7d. Misc. New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p> <p>MIDWEST IRRIGATION % KEITH GRIMM 2991 GOLDFINCH RD HIAWATHA KS 66434 8371</p>		
<p>8. WUR Correspondent New to system <input type="checkbox"/></p> <p>Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="text-align: right;">Person ID _____ Add Seq# _____ Notarized WUC Form <input type="checkbox"/></p> <p>7a.</p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="padding-left: 40px;"><input type="checkbox"/> Groundwater <input checked="" type="checkbox"/> Surface Water</p> <p><input checked="" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____</p>		
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: _____			
<p>Date Prepared: 12/18/2017 By: DWS Date Entered: <i>1/18/2018</i> By: <i>UM</i></p>			

File No. **49,919** 15. Formation Code: Drainage Basin: **BLACK VERMILLION RIVER** County: **MS** Special Use: Stream: **North Fork Black Vermillion River TRIB 10A (Black Vermillion River)**

16. Points of Diversion										
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
√			86370	SW NW SE	16	2	10E	1	1346	2005

17. Rate and Quantity				
Authorized		Additional		
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
1000	160	1000	160	NONE

18. Storage: Rate **NF** Quantity **160** ac/ft Additional Rate **NF** Additional Quantity **160** 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 **12/31/2019** 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								
√			68575	16	2	10E	1																	40	40	40	40	160	7a.	No	NONE

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: December 18, 2017

FROM: Doug Schemm

RE: Application, File No. 49,919

Larry Ronnebaum has filed the application referred to above for a permit to appropriate 160 acre-feet of surface water at the rate of natural flows to be stored in a proposed reservoir located in the Southeast Quarter of Section 16, in Township 2 South, Range 10 East, Marshall County, Kansas. The dam is located on North Fork Black Vermillion River Trib 10A within the Black Vermillion River basin. The point of diversion is located on property owned by the applicant, and he has signed the application form stating he has legal access to the point of diversion. The place of use is wholly owned by the applicant, and it comprises 160 acres. There are no other overlapping files in point of diversion or place of use.

Runoff computations are not required because for this area of the state, runoff values typically range from 14 inches to 18 inches. Therefore, with 290 acres of drainage area, this basin will certainly generate a runoff quantity in 1 out of every five (5) years (a 20% chance), of greater than 160 acre-feet. Therefore, per K.A.R. 5-6-5, the runoff quantity IS NOT the limiting factor, and the application can be processed with the requested storage quantity of 160 acre-feet. The requested quantity of water for direct use (rediversion) of 160 acre-feet for irrigation use on 160 acres, provides 1 acre-feet per acres, which is slightly less than the maximum allowable of 1.1 acre-feet per acre in Marshall County, Kansas, per K.A.R. 5-3-24. However, this quantity is certainly reasonable for this area of the state.

The applicant identified two upstream and downstream landowners within one-half (½) mile of the property lines. Nearby landowner letters were sent out on November 28, 2017. A telephone call was received from Mr. Buessing who owns land both upstream and downstream of the dam. Mr. Buessing stated that he typically runs 100 head of cattle on the property downstream of the dam, but only in the late fall and winter months. He said there is plenty of water in the stream most of the time, and that the reservoir was completed three months ago. Not too concerned, and doesn't believe there will be a problem unless we get an extreme drought in the future. We discussed what his rights were as a senior domestic user and he understood. He thought the dam would help control flooding and he would talk to the applicant if he ever needed water for his cattle. A second landowner called who has property further downstream of Mr. Buessing's property, and he waters cattle on his property year-round and was concerned about having water. I explained his senior domestic right and how the process would work. He then asked about building ponds on his own property for his cattle watering. I told him that was a domestic use and no permitting was required by us, but suggested he talk to structures program staff. There are only two surface water rights within a two-mile radius according to the WRIS database. These senior files are located on different tributaries to the North Fork Black Vermillion River, and no senior water rights will be impaired with approval of this application.

The proposed structure was reviewed by DWR Water Structures Program staff, under File No. DMS-0175, and they determined that it is exempt from dam safety permit requirements specified in K.S.A. 82a-301(a) (see October 5, 2017 letter). The dam location has been registered in the structures records. As allowed by K.S.A. 82a-706(c) an approved water flow meter shall be installed on the secondary diversion works (pump site) for this file. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. Since this reservoir has already been constructed and is storing water, no Special Condition on the Permit will be needed to provide an initial fill quantity.

Larry Ronnebaum
File No. 49,919
Page 2

In a December 14, 2017 discussion, 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 (but is has been registered), and senior rights will not be impacted, it is recommended that the referenced new application be approved.

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

January 23, 2018

LARRY RONNEBAUM
2986 HARVEST RD
AXTELL KS 66403

FILE COPY

Re: Appropriation of Water, File No. 49,919

Dear Mr. Ronnebaum:

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



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. 49,919** of the applicant

**LARRY RONNEBAUM
2986 HARVEST RD
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 **October 2, 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					
16 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 10A (Black Vermillion River), 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 **160 acre-feet** per calendar year in one (1) reservoir created by a dam located in the Southwest Quarter of the Northwest Quarter of the Southeast Quarter (SW¼ NW¼ SE¼) of Section 16, more particularly described as being near a point 1,346 feet North and 2,005 feet West of the Southeast corner of said section, in Township 2 South, Range 10 East, Marshall County, Kansas, to provide **160 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, 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.

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 17th day of January, 2018, 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 17th day of January, 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson
Notary Public

CERTIFICATE OF SERVICE

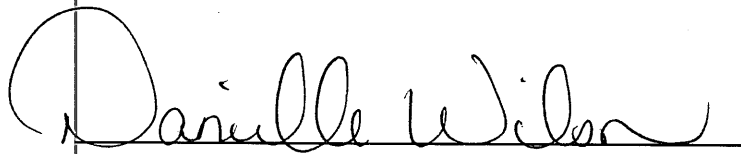
On this *23rd* day of *January*, 2018, I hereby certify that the foregoing Approval of Application, File No. 49,919, dated *January 17, 2018* was mailed postage prepaid, first class, US mail to the following:

LARRY RONNEBAUM
2986 HARVEST RD
AXTELL KS 66403

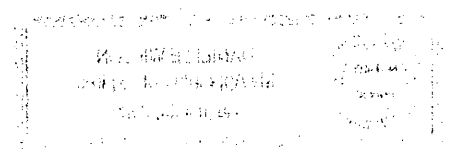
With photocopies to:

MIDWEST IRRIGATION
% KEITH GRIMM
2991 GOLDFINCH RD
HIAWATHA KS 66434 8371

Topeka Field Office



Division of Water Resources



APPLICATION COMPLETE

12/18/2017

Reviewer DWS

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49919
This item to be completed by the Division of Water Resources.

WATER RESOURCES
RECEIVED

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.)

OCT 2 2017
2:28
KS DEPT OF AGRICULTURE

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

1. Name of Applicant (Please Print): Larry Ronnebaum
Address: 2986 Harvest Rd
City: Axtell State KS Zip Code 66403
Telephone Number: (785) 410-8305

2. The source of water is: surface water in Unnamed tributary to NF Black Vermillion River (stream) ³⁹²³
OR groundwater in _____ (drainage basin) ¹⁴ <sub>TR10
10A</sub>

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 - 160 acre-feet OR _____ gallons per calendar year, Divert 160 AF @ 1,000 gpm
to be diverted at a maximum rate of 1000/NF gallons per minute OR _____ cubic feet per second.

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

4. The water is intended to be appropriated for (Check use intended):
(a) Artificial Recharge (b) Irrigation (c) Recreational (d) Water Power
(e) Industrial (f) Municipal (g) Stockwatering (h) Sediment Control
(i) Domestic (j) Dewatering (k) Hydraulic Dredging (l) Fire Protection
(m) Thermal Exchange (n) Contamination Remediation

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

For Office Use Only:
F.O. 1 GMD 0 Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source G(S) County MS By Adw Date 10/31/17
Code RE 2 Fee \$ 300 TR # _____ Receipt Date 10/2/17 Check # 4770

SCANNED
10/15/2017 UM

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 NW quarter of the SE quarter of Section 16, more particularly described as being near a point 1346 feet North and 2005 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

(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 Sept 22, 2017. Laura Romberg
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 1st 2018
(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 July 1st 2018
(Mo/Day/Year)

WATER RESOURCES
RECEIVED

OCT 2 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. Attached Class A Hazard Reservoir 290 Acres Drainage

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

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

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

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

(b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.

(c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.

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

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

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

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

none

WATER RESOURCES RECEIVED
OCT 2 2017
KS DEPT OF AGRICULTURE
SCANNED

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.

NA

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
(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 Niawatha, Kansas, this 21 day of Sept, 2017.
(month) (year)



Lauren Smith
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by Keith German MWI, LLC Date: 9/21/17
(office/title)

WATER RESOURCES
RECEIVED

OCT 2 2017

SCANNED
KS DEPT OF AGRICULTURE

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 49919

Name of Applicant (Please Print): Larry Ronnebaum

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: Larry Ronnebaum
ADDRESS: 2986 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		
16	2 ^s	10 ^E														40	40	40	40	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		

49,919



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

October 5, 2017

LARRY RONNEBAUM
2986 HARVEST RD
AXTELL KS 66403

RE: Low Hazard Dam Registration
WSN: DMS-0175
Legal Location: SW ¼ of the NW ¼ of the SE ¼ of Section 16, Township 2S, Range 10E
Hazard Classification: Class "A" Low

Dear Mr. Ronnebaum:

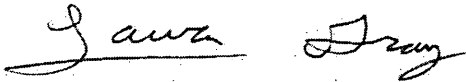
Please accept this letter as confirmation that your proposed dam is exempt from the dam safety permit requirements specified in K.S.A. 82a-301(a), and your proposed dam location has been registered in our records.

You reported that your proposed dam is located in the SW 1/4 of the NW 1/4 of the SE 1/4 of Section 16, Township 2 South, Range 10 East in Marshall County. You also reported that the proposed dam has a height of 21.5 feet, and a storage volume of 90 acre-feet at the emergency spillway elevation. We verified that your proposed 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. This exemption does not relieve you from complying with other local, state, or federal requirements which may be applicable.

Should you have any questions, please feel free to contact me at (785) 564-6678, or e-mail me at laura.gray@ks.gov.

Sincerely,

A handwritten signature in cursive script that reads "Laura Gray". The signature is written in dark ink and is positioned above the typed name.

Laura Gray, I.E.
Water Structures Engineer

P.C. Topeka Field Office

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49919 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49919 00 IRR

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

1346 Feet North and 2005 Feet West of the Southeast Corner of Section 16 T 2S R 10E

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__ 49633 00 IRR KE S      7741 -- SW SE SE  491  933 10  2 10E  1      67.00   67.00 AF
A__ 49634 00 IRR KE S      6934 -- SE SW SE   59 1615 10  2 10E  2     160.00  109.00 AF
A__ 49919 00 IRR AY S        0 -- SW NW SE 1346 2005 16  2 10E  1     160.00  160.00 AF
=====

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=====
Total Net Quantities Authorized:   Direct           Storage
Total Requested Amount (AF) =      160.00           .00
Total Permitted Amount (AF) =      176.00          67.00
Total Inspected Amount (AF) =         .00           .00
Total Pro_Cert Amount (AF) =         .00           .00
Total Certified Amount (AF) =         .00           .00
Total Vested Amount (AF) =          .00           .00
TOTAL AMOUNT (AF) =          336.00          67.00
=====

```

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:

1346 Feet North and 2005 Feet West of the Southeast Corner of Section 16 T 2S R 10E

SURFACE WATER ONLY

WATER USE CORRESPONDENTS:

```

=====
File Number   Use ST SR
A__ 49633 00 IRR KE S
> TERRY ROTTINGHAUS
>
> 2898 HARVEST ROAD
> AXTELL KS 66403
>-----
A__ 49634 00 IRR KE S
> TERRY ROTTINGHAUS
>
> 2898 HARVEST ROAD
> AXTELL KS 66403
>-----
A__ 49919 00 IRR AY S
> LARRY RONNEBAUM
>
> 2986 HARVEST RD
> AXTELL KS 66403
>-----
=====

```

#####



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

November 28, 2017

DANIEL & PATRICIA ROTTINGHAUS FAMILY TRUST
2718 INDIAN RD
AXTELL KS 66403

Re: Pending Application, File No. 49,919

Dear Sir or Madam:

This is to advise you that Larry Ronnebaum has filed the application referred to above for a permit to appropriate 160 acre-feet of surface water per calendar year to be stored in a proposed reservoir, and re-divert 160 acre-feet of the stored water for irrigation use. The proposed point of diversion (where the structure crosses the centerline of the stream) is located in the Southwest Quarter of the Northwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 16, in Township 2 South, Range 10 East, Marshall County, Kansas.

Records in this office indicate that you own land along the stream in this vicinity and you are being notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's 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 application and site map posted by the file number 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,

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

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Larry Ronnebaum
Keith Grimm – 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

November 28, 2017

MAURICE & LINDA BUESSING
2844 INDIAN RD
AXTELL KS 66403

Re: Pending Application, File No. 49,919

Dear Sir or Madam:

This is to advise you that Larry Ronnebaum has filed the application referred to above for a permit to appropriate 160 acre-feet of surface water per calendar year to be stored in a proposed reservoir, and re-divert 160 acre-feet of the stored water for irrigation use. The proposed point of diversion (where the structure crosses the centerline of the stream) is located in the Southwest Quarter of the Northwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 16, in Township 2 South, Range 10 East, Marshall County, Kansas.

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Sincerely,

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

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Larry Ronnebaum
Keith Grimm – MWI, LLC

49919

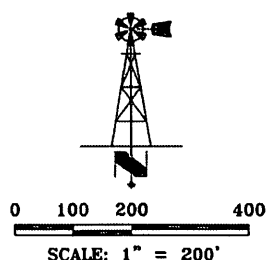
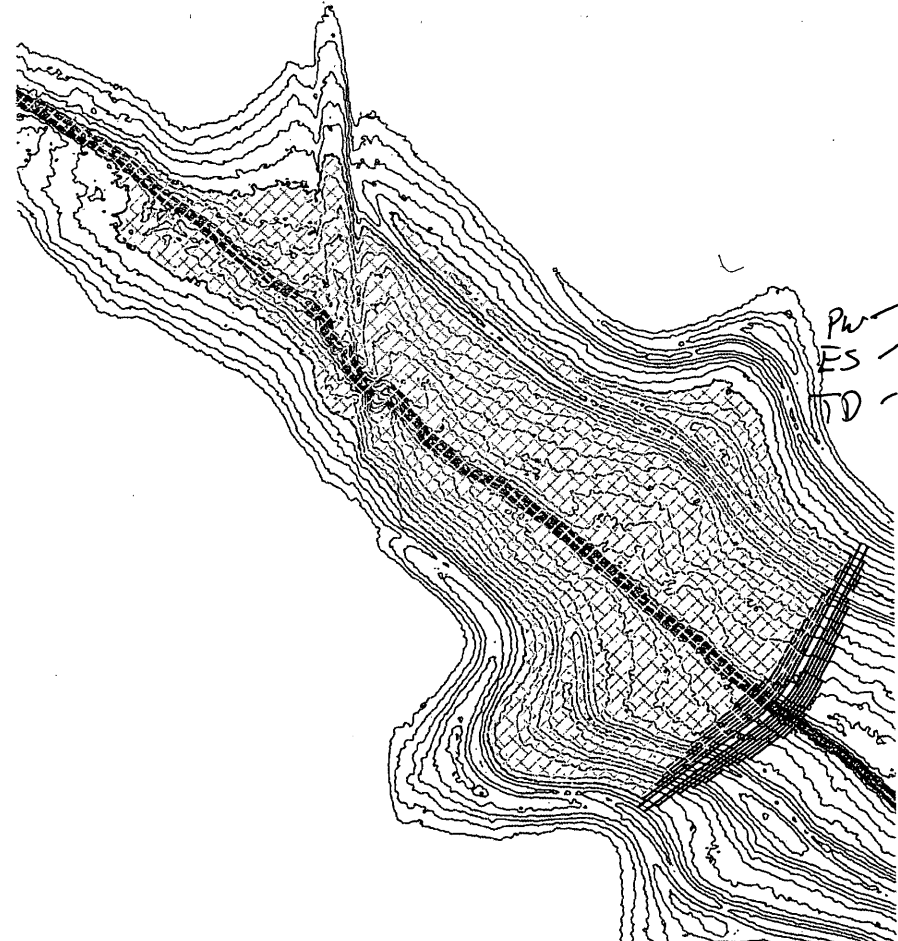
OCT 2 2017

RECEIVED WATER RESOURCES

SCANNED

TOPOGRAPHIC SURVEY
 Compute Proposed Stream Obstruction Volume in the South One-Half of Section 16,
 Township 2 South, Range 10 East of the
 Sixth Principal Meridian, Marshall County, Kansas

Contour	Area	1' Volume	Total Volume	Ac. Ft.	Embankment	Height	Notes
1367	-	-	-	-	-	-	
1368	548.06	274.03	274.030	0.0063		1.51	
1369	1,957.43	1,252.75	1,526.775	0.0350		2.51	
1370	3,959.03	2,958.23	4,485.005	0.1030		3.51	
1371	6,756.01	5,357.52	9,842.525	0.2260		4.51	
1372	10,644.60	8,700.31	18,542.830	0.4257		5.51	
1373	22,103.26	16,373.93	34,916.760	0.8016		6.51	
1374	45,123.41	33,613.34	68,530.095	1.5732		7.51	
1375	83,899.06	64,511.24	133,041.330	3.0542		8.51	Cross N-S Prop Line
1376	124,439.98	104,169.52	237,210.850	5.4456		9.51	
1377	165,032.62	144,736.30	381,947.150	8.7683		10.51	
1378	205,461.24	185,246.93	567,194.080	13.0210		11.51	
1379	256,107.56	230,784.40	797,978.480	18.3191		12.51	
1380	292,885.57	274,496.57	1,072,475.045	24.6206		13.51	
1381	333,309.04	313,097.31	1,385,572.350	31.8084		14.51	
1382	377,556.61	355,432.83	1,741,005.175	39.9680		15.51	
1383	463,217.30	420,386.96	2,161,392.130	49.6187	5,139	16.51	
1384	543,547.27	503,382.29	2,664,774.415	61.1748	6,246	17.51	
1385	619,561.89	581,554.58	3,246,328.995	74.5255	7,494	18.51	
1386	723,089.39	671,325.64	3,917,654.635	89.9370	8,883	19.51	



General Notes for Site:
 Field verification of LiDAR elevation data on 07/05/17
 Correlation on GPS points shot: -0.19 (GPS-LiDAR)
 Maximum: 0.86 Minimum: -0.22
 85% of Points (GPS-LiDAR) between +0.5 and -0.5
 Front toe of stream obstruction elevation: 1363.09'
 Rear toe of stream obstruction elevation: 1362.07'
 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 07/05/17.



THIS DRAWING ORIGINALLY CREATED AT
 SPECIFIED SCALE. IF LINE BELOW DOES NOT
 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
 S 1/2 Sec 16, T2S, R10E
 Marshall County, Kansas
 MWT - Adam Ronnebaum

SCALE	1"=200'
FIELD ON:	07/05/17
CHK. BY	MARCY
DWN. BY	BRENT
DATE:	07/26/17
SHEET	1 OF 2
JOB NO.	5262.71

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

October 4, 2017

LARRY RONNEBAUM
2986 HARVEST RD
AXTELL KS 66403

FILE COPY

RE: Application
File No. 49919

Dear Sir or Madam:

Your application for permit to appropriate water in 16-2S-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 cursive script that reads "Kristen A. Baum".

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: TOPEKA Field Office
GMD

SCANNED

NEW STREAM WORKSHEET

ES AW

Date: 10/13/17

File No. 49919

Basin Name: Black Vermillion River Basin No. 14

Stream Name: North Fork Black Vermillion River Trib 10A

Stream location (confluence with parent stream):

Section 25, 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

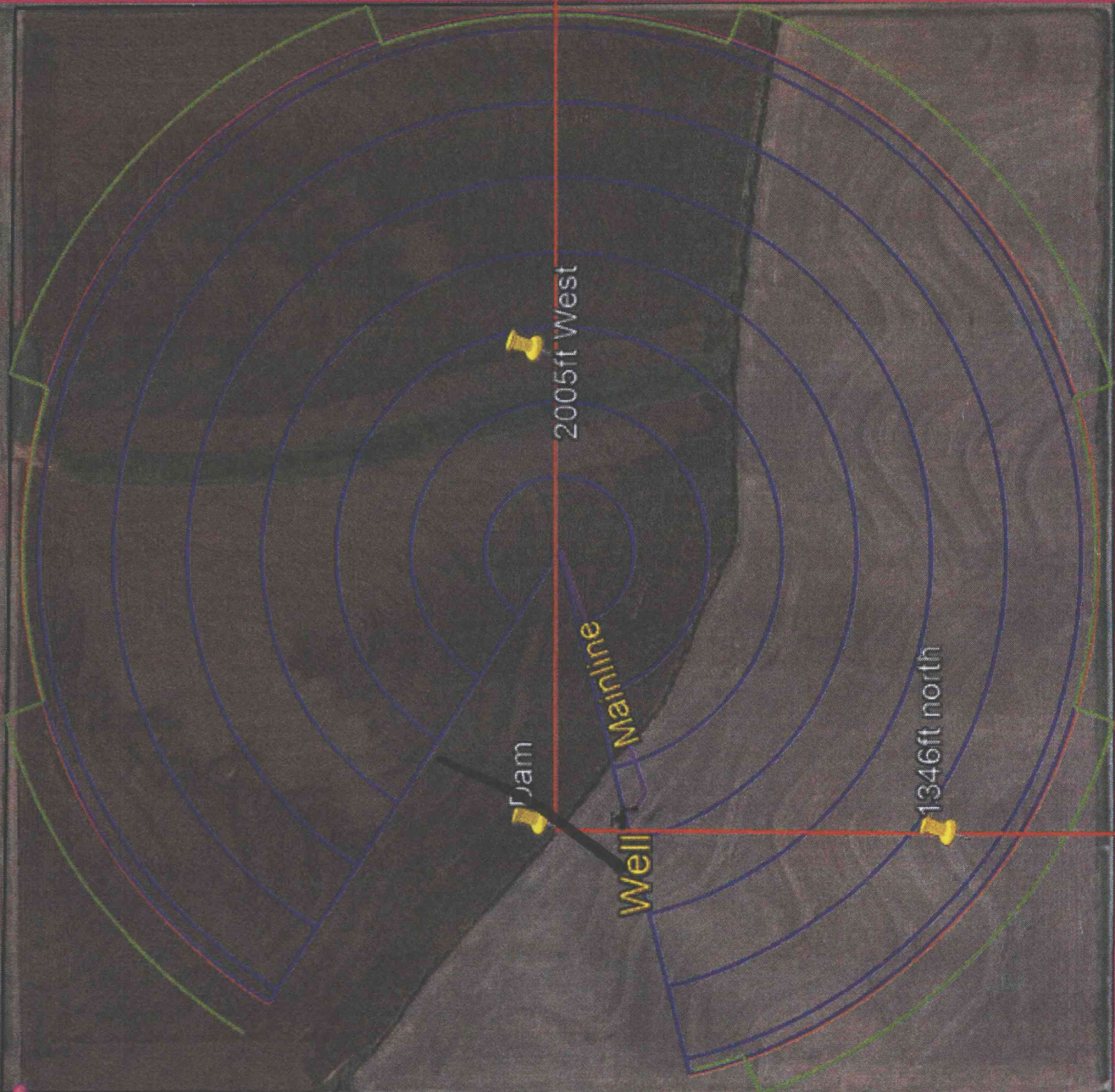
Unnamed Trib to Unnamed Trib (A, B, C, etc.) – Orange

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

Stream No. 3 9 2 3 (computer assigned - entered by data entry staff)

Date Entered 10/15/2017 By LLM

WATER RESOURCES
RECEIVED
OCT 2 2017



61666

49919
61667

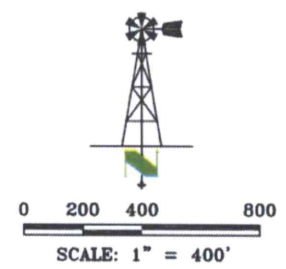
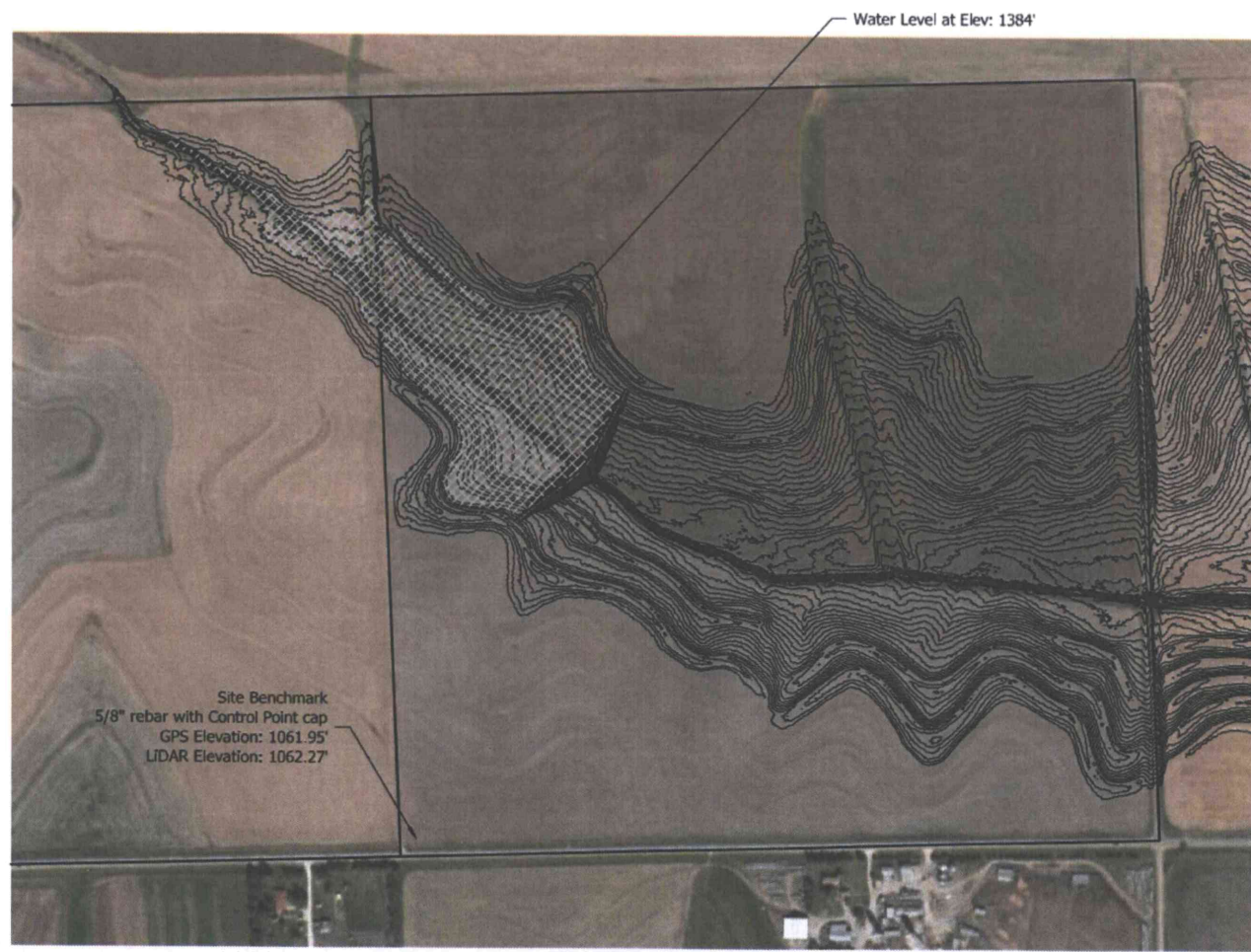
WATER RESOURCES
RECEIVED

OCT 2 2017

KS DEPT OF AGRICULTURE

SCANNED

TOPOGRAPHIC SURVEY
 Compute Proposed Stream Obstruction Volume in the South One-Half of Section 16,
 Township 2 South, Range 10 East of the
 Sixth Principal Meridian, Marshall County, Kansas

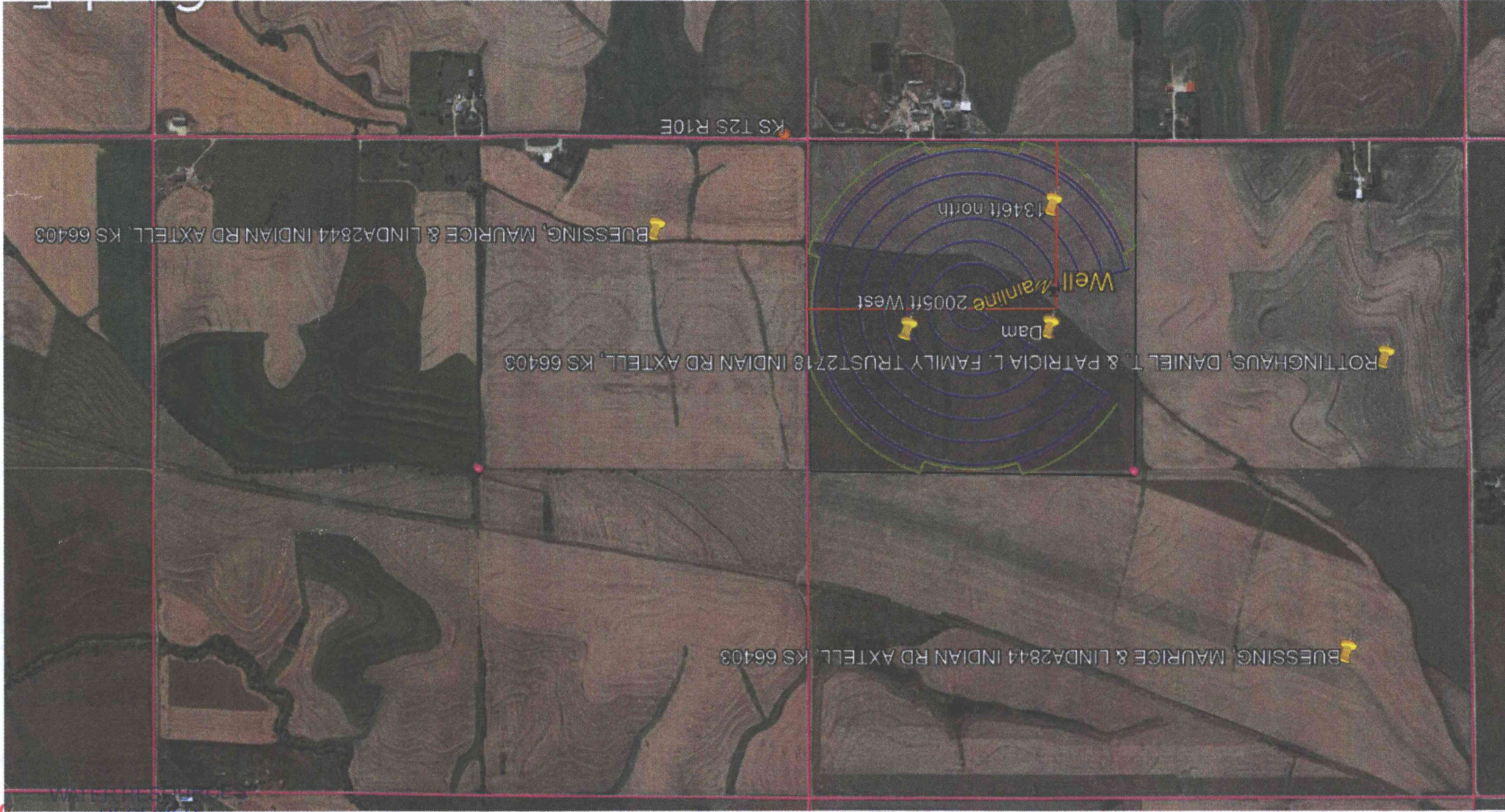


THIS DRAWING ORIGINALLY CREATED AT
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 ORIGINAL DRAWING
 SIZE: 1 INCH

**JORGENSEN
 SURVEYING**
 7305 I 617 Ave
 Tecumseh, NE 68450
 (402) 335-2033
 jorgensensurveying@gmail.com

Stream Obstruction
 S 1/2 Sec 16, T2S, R10E
 Marshall County, Kansas
PREPARED FOR
 MWI - Adam Ronnebaum

SCALE	1"=400'
FIELD ON:	07/05/17
CHK. BY	MARCY
DWN. BY	BRENT
DATE:	07/26/17
SHEET 2 OF 2	
JOB NO. 5262.71	



RECEIVED

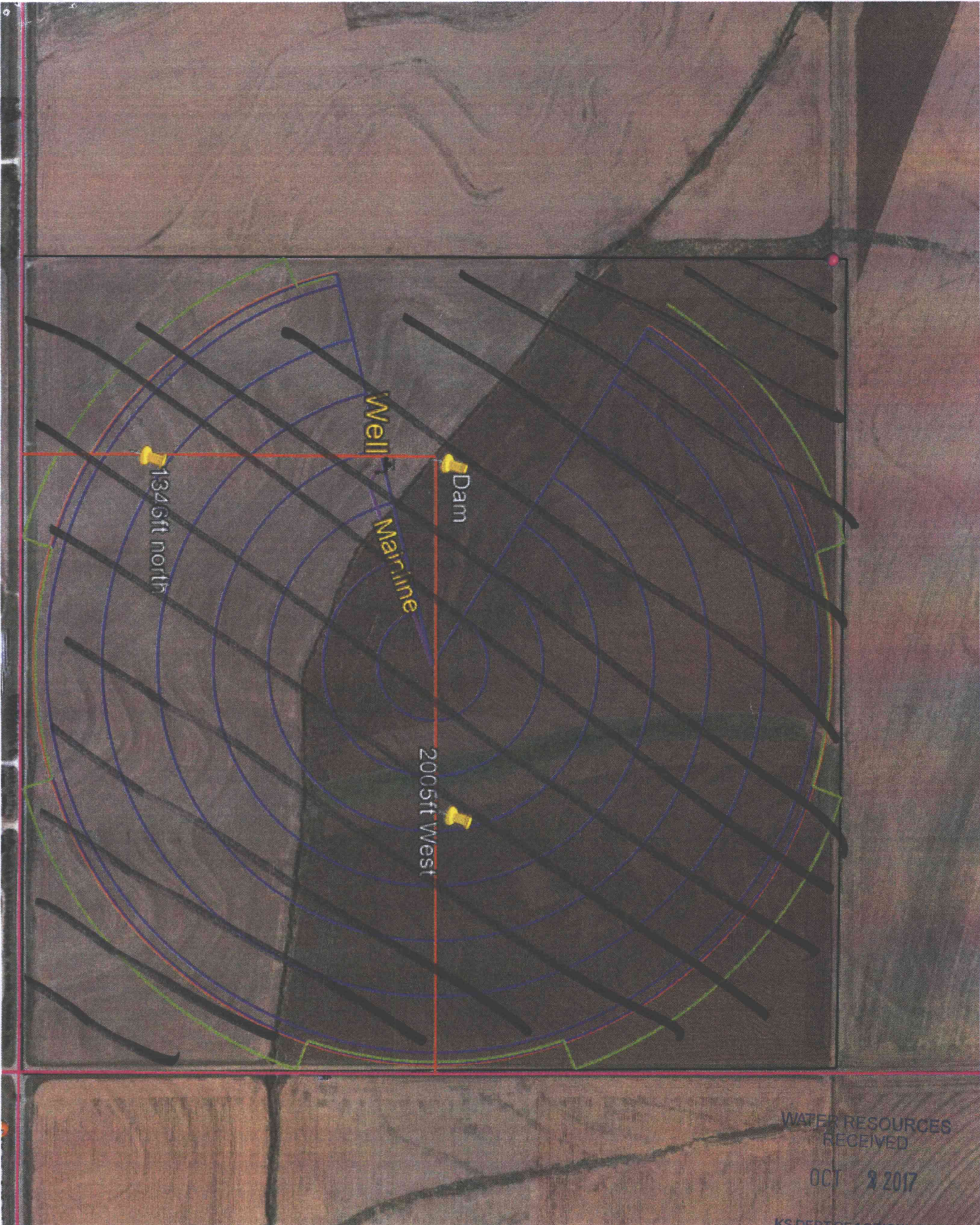
OCT 2 2017

KS DEPT OF AGRICULTURE

SCANNED

4/9/19

49919



WATER RESOURCES
RECEIVED

OCT 9 2017

KS DEPT OF AGRICULTURE

SCANNED