

File No. 49,962	15. Formation Code:	Drainage Basin: SF BIG NEMAHA RIVER	County: NM	Special Use:	Stream: SF BIG NEMAHA TRIB 5 (SF BIG NEMAHA)																
16. Points of Diversion T MOD DEL ENT PDIV Qualifier S T R ID 'N 'W			17. Rate and Quantity Authorized Rate Quantity gpm af Additional Rate Quantity gpm af Overlap PD Files																		
✓ 86522 NW SE NW 12 1 12E 1 3367 3403			1200 97 1200 97 NONE																		
18. Storage: Rate NF Quantity 97 ac/ft Additional Rate NF Additional Quantity 97 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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No To be installed by 12/31/2019 Date Acceptable Meter Installed _____																					
21. Place of Use T MOD DEL ENT PUSE		NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
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				
MOD 62617 1 1 12E 1						5.5	35.0	40.0	17.0	35.0	30.0	38.0	34.0					234.5	7a.	No	48,009 & 48,306
MOD 62618 2 1 12E 1		20			23									12			10	65	7a.	No	48,009 & 48,306
MOD 64358 12 1 12E 1		34.0	29.0	19.0	33.5	40.0	26.0	10.0	35.0									226.5	7a.	No	48,009 & 48,306
Comments																					

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

TO: Files

DATE: May 21, 2018

FROM: Doug Schemm

RE: Application, File No. 49,962

Robert Haverkamp has filed the application referred to above for a permit to appropriate 97 acre-feet of surface water at the rate of natural flows to be stored in a proposed reservoir located in the Northwest Quarter of Section 12, in Township 1 South, Range 12 East, Nemaha County, Kansas. The dam is located on South Fork Big Nemaha Trib 5, within the South Fork Big Nemaha basin. The point of diversion is located on property owned by the applicant, and it has been signed by the applicant stating he has legal access to the point of diversion. The place of use is totally owned by the applicant, and it comprises a total of 526 acres.

Please note that the reservoir is located within the South Fork Big Nemaha drainage basin, the eastern portion of which drains toward the Sac and Fox Nation of Missouri in Kansas and Nebraska, and the Iowa Tribe of Kansas & Nebraska Reservation. However, this reservoir is located in the western portion of the drainage basin, where surface water flows into the State of Nebraska for many miles, not directly onto Nation or Tribal land. Therefore, no notification of the Nation or Tribe is required.

There are no other overlapping files in point of diversion; however, File Nos. 48,009 and 48,306 will completely overlap in place of use after changes are processed. File No. 48,009 (reservoir) is authorized 208.8 acre-feet of storage and 165 acre-feet of direct use. File No. 48,306 (pump site) is authorized 200 acre-feet of direct use. The new application is requesting 97 acre-feet of direct use, for a combined total of 462 acre-feet. This total quantity of water for direct use of 462 acre-feet for irrigation use on 526 acres, provides 0.9 acre-feet per acre, which is slightly less than the maximum allowable in Nemaha County, Kansas, of 1.1 acre-feet per K.A.R. 5-3-24. However, this is a reasonable quantity for this area of the state. No quantity limitation is required on the junior file.

Runoff computations determined that the run-off quantity is 13.5 inches per acre. Therefore, with only 86 acres of drainage area, the runoff total is only 97 acre-feet, in 1 out of every five (5) years (a 20% chance). Therefore, per K.A.R. 5-6-5, this runoff quantity **IS** the limiting factor, and the application must be processed as proposed with the requested 97 acre-feet. The applicant indicated that the capacity of the reservoir at principal spillway (normal pool elevation) is 25 acre-feet. The requested direct use quantity is approximately 3.9 times the reservoir capacity, which is within the normal rule of thumb of five times the capacity.

The applicant identified multiple landowners both upstream and downstream within one-half (½) mile of the property lines. Nearby landowner letters were mailed out on February 21, 2018, informing them of the pending new application and place of use change applications. No responses of any kind were received. The only other surface water rights within a two-mile radius according to the WRIS database, are the applicant's files noted above. These senior files are located on different streams, 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. DNM-0384, and they determined that it is non-jurisdictional for structures permitting (see May 17, 2018 letter). 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 is proposed, a Special Condition on the Permit will be needed to provide an initial fill quantity of 25 acre-feet (reservoir capacity).

Robert Haverkamp - Memo
File No. 49,962
Page 2

In a March 12, 2018 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, and senior rights will not be impacted, it is recommended that the referenced new application be approved, in conjunction with pending change applications on File Nos. 48,009 and 48,306.

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

July 5, 2018

FILE COPY

ROBERT HAVERKAMP
2964 L4 RD
BERN KS 66408

Re: Appropriation of Water, File No. 49,962

Dear Mr. Haverkamp:

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. 49,962** of the applicant

**ROBERT HAVERKAMP
2964 L4 RD
BERN KS 66408**

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 **January 5, 2018**.
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	
1	1S	12E					5.5	35	40	17	35	30	38	34					234.5
2	1S	12E	20			23									12			10	65
12	1S	12E	34	29	19	33.5	40	26	10	35									226.5

3. That the appropriation sought shall be limited to all natural flows of an unnamed tributary to South Fork Big Nemaha, designated in the office of the Chief Engineer as South Fork Big Nemaha Trib 5, 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 **97 acre-feet** per calendar year in one (1) reservoir created by a dam located in the Northwest Quarter of the Southeast Quarter of the Northwest Quarter (NW¼ SE¼ NW¼) of Section 12, more particularly described as being near a point 3,367 feet North and 3,403 feet West of the Southeast corner of said section, in Township 1 South, Range 12 East, Nemaha County, Kansas, to provide **97 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 **1,200 gallons per minute (2.67 c.f.s.)**. A reasonable maximum re-diversion rate will be established during the perfection period and assigned at certification.

4. That in accordance with K.A.R. 5-6-6, a maximum quantity not to exceed **25 acre-feet** of water may also be diverted to complete the initial filling of the reservoir only, and shall not count toward perfection of a water right under the authority of this permit. Subsequent refilling of the reservoir shall require authorization under a term permit.

5. 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.
6. 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.
7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.
8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.
9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.
10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.
11. That all 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.
12. 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).
13. 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.
14. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.
15. 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.

16. 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 28th day of June, 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 28th day of June, 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture



Danielle Wilson

Notary Public

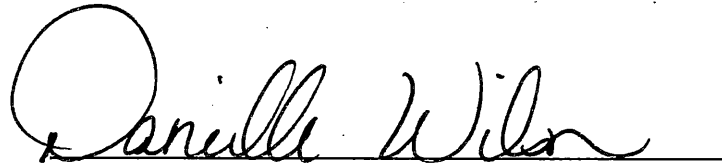
CERTIFICATE OF SERVICE

On this 5th day of July 2018, I hereby certify that the foregoing Approval of Application, File No. 49,962, dated June 28th, 2018 was mailed postage prepaid, first class, US mail to the following:

ROBERT HAVERKAMP
2964 L4 RD
BERN KS 66408

With photocopies to:

Topeka Field Office

A handwritten signature in cursive script that reads "Danille Wilson". The signature is written in black ink and is positioned above a horizontal line.

Division of Water Resources

APPLICATION COMPLETE
5/17/18
KAB for DWS

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

WATER RESOURCES RECEIVED

JAN 05 2018

12:00
KS DEPT OF AGRICULTURE

File Number 49962
This item to be completed by the Division of Water Resources.

UNACCEPTABLE FOR PRIORITY
WATER RESOURCES RECEIVED
DEC 26 2017
11:56
KS DEPT OF AGRICULTURE

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

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

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

1. Name of Applicant (Please Print): ROBERT HAVERKAMP
Address: 2964 L4 RD
City: BERN State: KS Zip Code 66408
Telephone Number: (785) 294-1503 robgeorge1959@yahoo.com

2. The source of water is: surface water in Tributary to South Fork Big Nemaha Trib 5 # 3929
(stream)
OR groundwater in South Fork Big Nemaha River BASIN
(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. **Redivert 97 acre-feet @ 1,200 gallons per minute**

3. The maximum quantity of water desired is 97 (Storage) acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 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 Meets K.A.R. 5-3-1 (YES/NO) Use FRR Source G/S County NM By ADW Date 1/5/18
Code REG Fee \$ 20 TR # _____ Receipt Date 1/5/18 Check # 0498

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

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

- (A) One in the NW quarter of the SE quarter of the NW quarter of Section 12, more particularly described as being near a point 3,367 feet North and 3,403 feet West of the Southeast corner of said section, in Township 1 South, Range 12 EAST, NEMAHA 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):

_____ (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 December 28, 2017 Robert H. [Signature]
Applicant's Signature

7. The proposed project for diversion of water will consist of ONE DAM AND RESERVOIR
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) SPRING 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 SPRING 2018
(Mo/Day/Year)

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 WATER RESOURCES RECEIVED
 JAN 05 2018
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 UNACCEPTABLE FOR PRIORITY
 DEC 21 2017
 KS DEPT OF AGRICULTURE
 KS DEPT OF AGRICULTURE
 SCANNED

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 DNM-0384 - Non-Jurisdictional

• If no, explain here why a Water Structures permit is not required _____

To be determined by Structures review

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.

Changes on File Nos. 48,009 and 48,306 will create a complete overlap in Place of Use.

Requested Quantity is maximum allowed per basin runoff calculation.

WATER RESOURCES RECEIVED

WATER RESOURCES RECEIVED

DEC 21 2017

JAN 05 2018

KS DEPT OF AGRICULTURE

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

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

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

14. The relationship of the applicant to the proposed place where the water will be used is that of OWNER
(owner, tenant, agent or otherwise)

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

APPLICANT
(name, address and telephone number)

(name, address and telephone number)

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

Dated at _____, Kansas, this _____ day of _____, 2017.
(month) (year)

Robert Harsh
(Applicant Signature)

513-74-8762
APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By _____
(Agent or Officer Signature)

and/or
APPLICANT(S) TAXPAYER I.D. NO.(S)

(Agent or Officer - Please Print)

Assisted by DWS TOPEKA FO
(office/title)

Date: 11/21/2017

UNACCEPTABLE FOR PRIORITY
WATER RESOURCES RECEIVED
DEC 21 2017
KS DEPT OF AGRICULTURE
WATER RESOURCES RECEIVED
JAN 05 2018
KS DEPT OF AGRICULTURE

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

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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):

APPLICANT
(name, address and telephone number)

(name, address and telephone number)

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

Dated at _____, Kansas, this _____ day of _____, 2017.
(month) (year)

Robert Harsh
(Applicant Signature)

513-74-8762
APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By _____
(Agent or Officer Signature)

and/or
APPLICANT(S) TAXPAYER I.D. NO.(S)

(Agent or Officer - Please Print)

Assisted by DWS

TOPEKA FO
(office/title)

Date: 11/21/2017

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JAN 05 2018
KS DEPT OF AGRICULTURE

UNACCESSIBLE FOR PRIORITY
WATER RESOURCES RECEIVED
DEC 21 2017
KS DEPT OF AGRICULTURE
SCANNED

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. #49,962

Name of Applicant (Please Print): ROBERT HAVERKAMP

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof.

Landowner of Record NAME: ROBERT HAVERKAMP

ADDRESS: 2964 L4 RD, BERN, KS 66408

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1	1S	12E					5.5	35.0	40.0	17.0	35.0	30.0	38.0	34.0					234.5
2	1S	12E	20.0			23.0									12.0			10.0	65.0
12	1S	12E	34.0	29.0	19.0	33.5	40.0	26.0	10.0	35.0									226.5

TOTAL ACRES = 526.0

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	

FILE NO. _____

SOIL: "80" PRECIP.: 33"

Nemaha Valley Angus
INCHES RUNOFF / ACRE: 13.5"

86 ACRES IN DRAINAGE x 13.5" = 1161" / 12" = 97 AF OF RUNOFF (20% CHANCE ANNUALLY)

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

RUNOFF IN INCHES

30
20
15
10
9
8
7
6
5
4
3
2
1.5
1
0.9
0.8
0.7
0.6
0.5
0.4
0.3

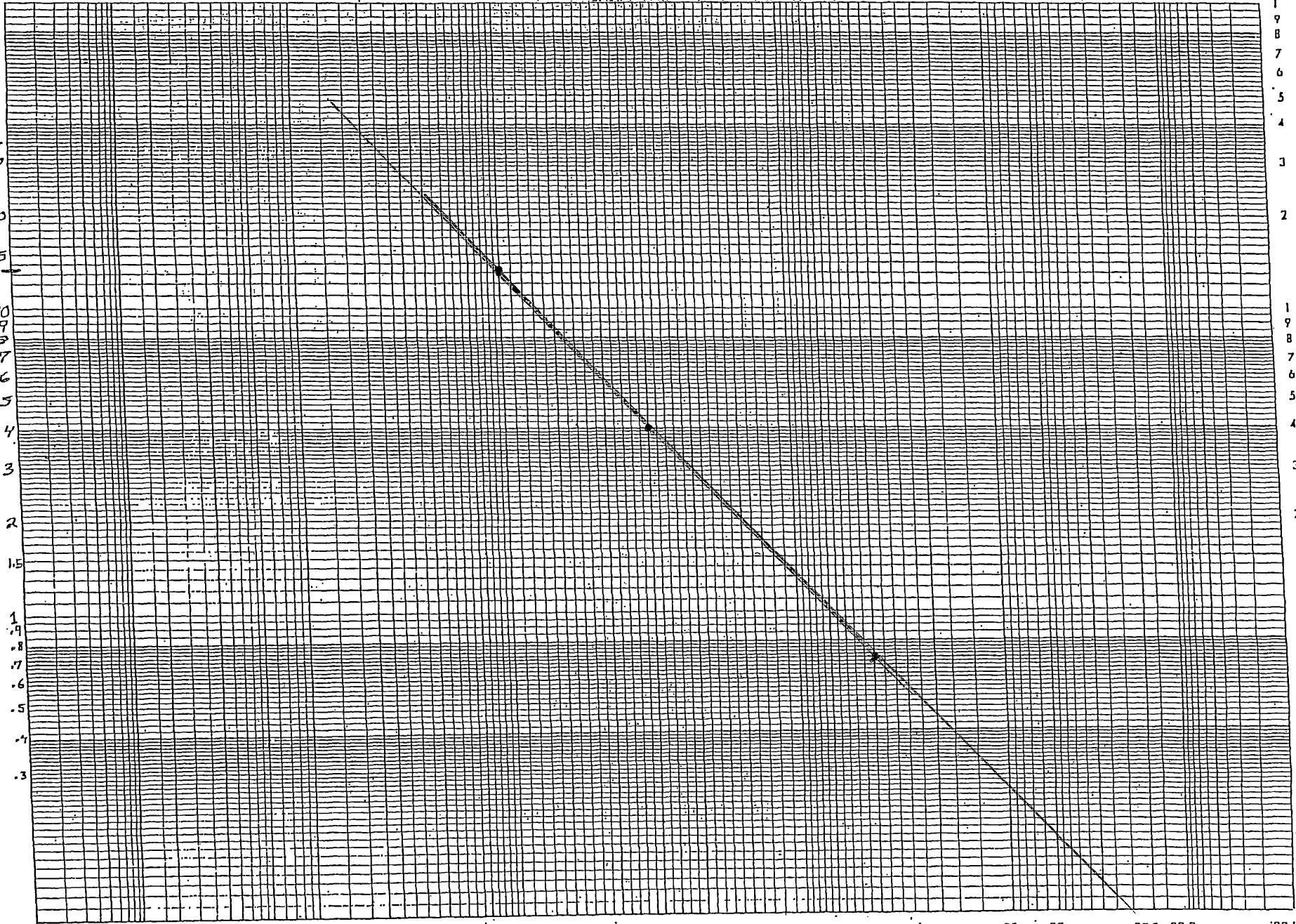
Probability (Long-axis) by 3 Cycle Log

1
9
8
7
6
5
4
3
2
1
9
8
7
6
5
4
3
2
1

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

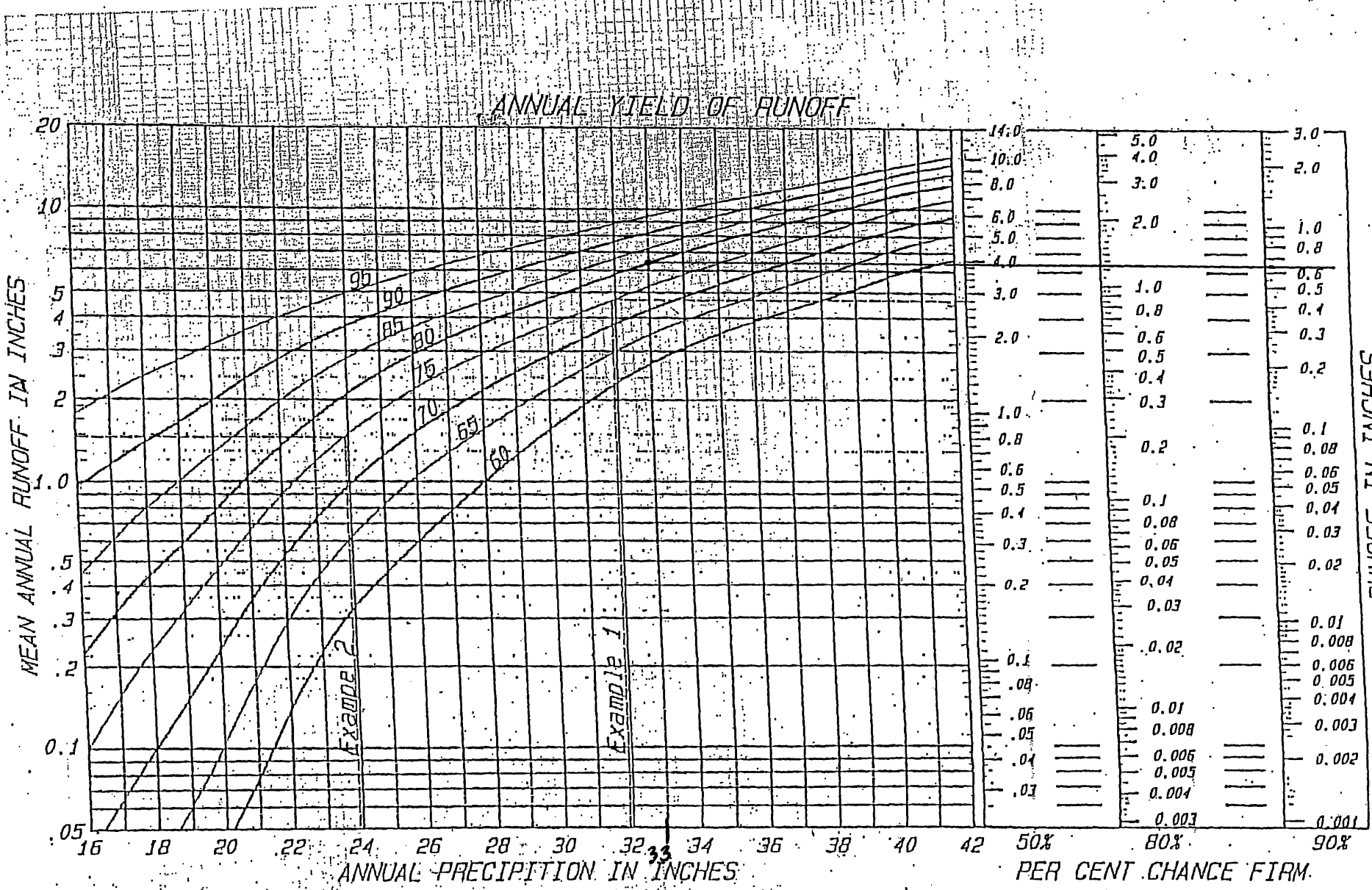
0% CHANCE

PREPARED BY:



ANNUAL YIELD OF RUNOFF

EFM Notice KS-38, 12/12/91



RUNOFF IN INCHES

KS-2-36

KAR 56-4(2)(1)

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

#49,962

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49962 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49962 00 IRR

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

3367 Feet North and 3403 Feet West of the Southeast Corner of Section 12 T 1S R 12E

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__ 48009 00 IRR KK S* 3605 -- SW NE SW 1700 3600 1 1 12E 2 165.00 165.00 AF
A__ 48306 00 IRR KK S* 2669 -- SW SW SW 160 5065 1 1 12E 3 200.00 200.00 AF
A__ 49962 00 IRR AY S 0 -- NW SE NW 3367 3403 12 1 12E 1 97.00 97.00 AF
=====

```

```

=====
Total Net Quantities Authorized:   Direct           Storage
Total Requested Amount (AF) =      97.00           97.00
Total Permitted Amount (AF) =     365.00          208.80
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) =                462.00          305.80
=====

```

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:

3367 Feet North and 3403 Feet West of the Southeast Corner of Section 12 T 1S R 12E

SURFACE WATER ONLY

WATER USE CORRESPONDENTS:

```

=====
File Number   Use ST SR
A__ 48009 00 IRR KK S
> ROBERT HAVERKAMP
>
> 2964 L4 RD
> BERN KS 66408
>-----
A__ 48306 00 IRR KK S
> ROBERT HAVERKAMP
>
> 2964 L4 RD
> BERN KS 66408
>-----
A__ 49962 00 IRR AY S
> ROBERT HAVERKAMP
>
> 2964 L4 RD
> BERN KS 66408
>-----
=====

```

#####

49,962

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

STATE OF KANSAS



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

May 17, 2018

Robert Haverkamp
2964 L4 Road
Bern, KS 66408

RE: Dam Determination
WSN: DNM-0384

Dear Mr. Haverkamp:

This will acknowledge receipt of your request for a permit determination. You reported that your proposed dam is located in the NW 1/4 of Section 12, Township 1 South, Range 12 East in Nemaha County.

The Dam Safety Team has reviewed the submitted documentation to this office. We have concluded that this project is not in our jurisdiction by K.S.A. 82a-301 to 305a. The drainage area is less than 640 acres, the structure has a storage volume less than 50 acre-feet at the auxiliary spillway elevation, and it is less than 25 feet in height.

This finding does not in any way relieve the project sponsor from complying with any other local, state, or federal requirements which may be applicable.

Please contact Doug Schemm at (785) 296-3495 concerning a water rights permit.

Should you have any questions, please feel free to contact me at (785) 564-6653, or e-mail me at Ambrose.Ketter@ks.gov.

Sincerely,

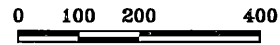
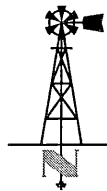
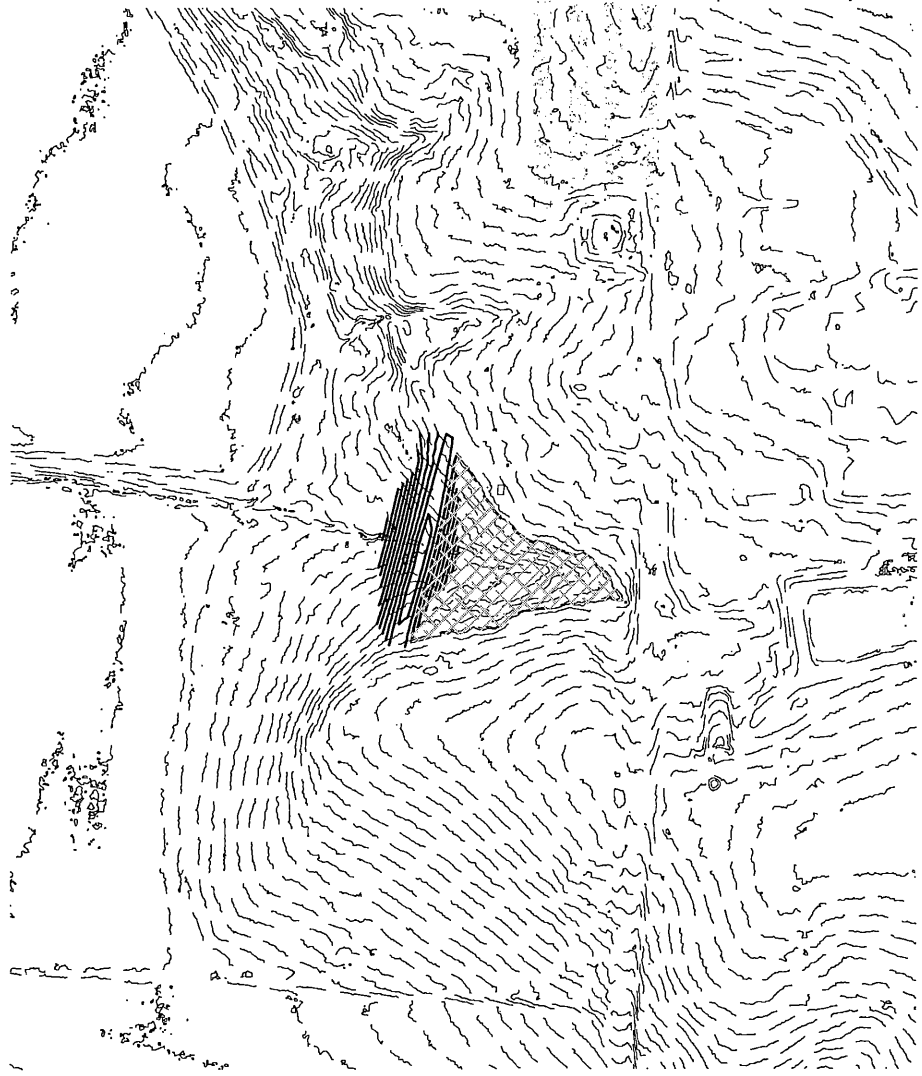
Ambrose J. Ketter, P.E.
Water Structures Engineer

P.C. Doug Schemm
Janelle Phillips

#49,962

TOPOGRAPHIC SURVEY
 Compute Existing Stream Obstruction Volume in the Northwest One-Quarter of Section 12,
 Township 1 South, Range 12 East of the
 Sixth Principal Meridian, Nemaha County, Kansas

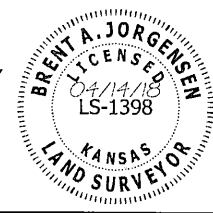
Contour	Area	1' Volume	Total Volume	Ac. Ft.	Embankment	Height
1044	-	-	-	-	-	-
1045	278.97	139.49	139.485	0.00320		5.39
1046	1,172.00	725.49	864.970	0.01986		6.39
1047	3,072.69	2,122.35	2,987.315	0.06858		7.39
1048	6,135.81	4,604.25	7,591.565	0.17428		8.39
1049	9,619.81	7,877.81	15,469.375	0.35513		9.39
1050	12,655.71	11,137.76	26,607.135	0.61082		10.39
1051	15,484.88	14,070.30	40,677.430	0.93383		11.39
1052	18,634.01	17,059.45	57,736.875	1.32546		12.39
1053	21,943.08	20,288.55	78,025.420	1.79122		13.39
1054	25,642.73	23,792.91	101,818.325	2.33743		14.39
1055	29,622.89	27,632.81	129,451.135	2.97179		15.39
1056	34,294.02	31,958.46	161,409.590	3.70545		16.39
1057	39,591.35	36,942.69	198,352.275	4.55354		17.39
1058	45,256.73	42,424.04	240,776.315	5.52746		18.39
1058.5	48,182.16	23,359.72	264,136.038	6.06373		18.89
1059	51,377.95	48,317.34	289,093.655	6.63668		19.39



SCALE: 1" = 200'

General Notes for Site:
 Field verification of LIDAR elevation data on 02/04/16
 Correlation on GPS points shot: -0.31 (GPS-LIDAR)
 Maximum: 0.58 Minimum: -0.45
 99% of Points (GPS-LIDAR) between +0.5 and -0.5
 Current Water Level: 1058.50'

LAND SURVEYOR'S CERTIFICATE
 THIS IS TO CERTIFY THAT THIS SURVEY
 WAS DONE BY THE UNDERSIGNED, AND
 THAT THE SURVEY WAS DONE ON THE
 GROUND ON 04/13/18.



THIS DRAWING ORIGINALLY CREATED AT
 SPECIFIED SCALE. IF LINE BELOW DOES NOT
 MEASURE 1 INCH, DRAWING HAS BEEN
 REDUCED.

ORIGINAL DRAWING
 SIZE: 1 INCH

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

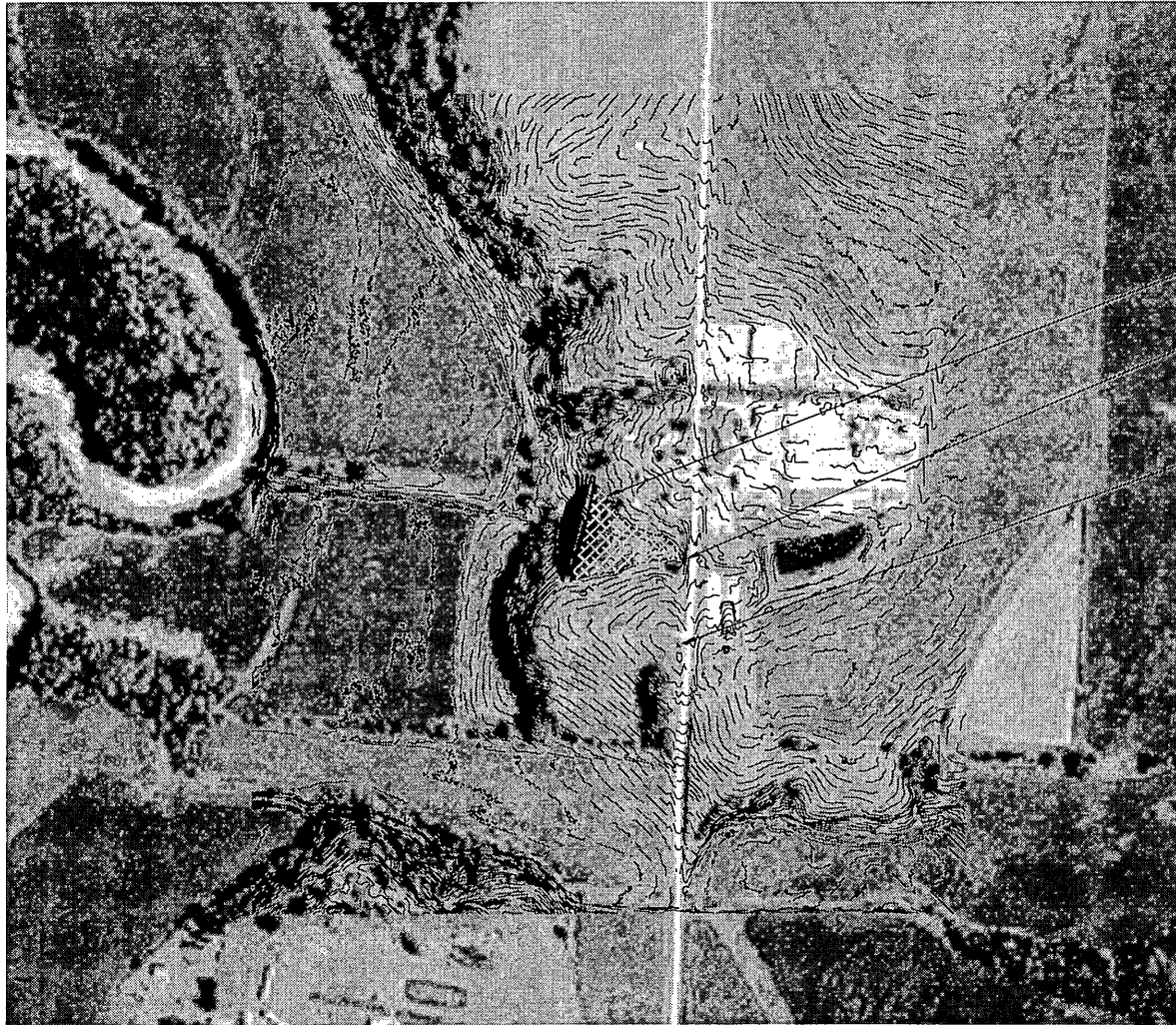
Stream Obstruction
 NW 1/4 Sec 12, T1S, R12E
 Nemaha County, Kansas
 PREPARED FOR
 MWI - Robert Haverkamp

SCALE	1"=200'
FIELD ON:	04/13/18
CHK. BY	MARCY
DWN. BY	BRENT
DATE:	04/14/18
SHEET	1 OF 2
JOB NO.	5262.62

#49,962

TOPOGRAPHIC SURVEY

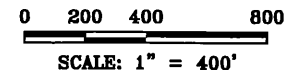
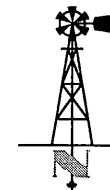
Compute Existing Stream Obstruction Volume in the Northwest One-Quarter of Section 12,
Township 1 South, Range 12 East of the
Sixth Principal Meridian, Nemaha County, Kansas



Existing Water Level at Elev: 1058.5'

Flowline CMP
LIDAR Elev: 1060.30'

Site Benchmark
5/8" rebar with Control Point cap
GPS Elevation: 1079.34'
LIDAR Elevation: 1079.65'



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
NW 1/4 Sec 12, T1S, R12E
Nemaha County, Kansas
REGISTERED
MWT - Robert Haverkamp

SCALE	1"=400'
FIELD ON:	04/13/18
CHK. BY	MARCY
DWN. BY	BRENT
DATE:	04/14/18
SHEET	2 OF 2
JOB NO.	5262.62



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

Governor Jeff Colyer, M.D.

February 21, 2018

RON KORBER
2913 L4 RD
BERN KS 66408

Re: Pending New Application, File No. 49,962; and
Applications to Change the Place of Use, File Nos. 48,009 and 48,306

Dear Sir or Madam:

This is to advise you that Robert Haverkamp has filed the new application referred to above for a permit to appropriate 97 acre-feet of surface water per calendar year to be stored in a proposed reservoir, and re-divert 97 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 Southeast Quarter of the Northwest Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 12, Township 1 South, Range 12 East, Nemaha County, Kansas. In addition, the pending change applications for File Nos. 48,009 and 48,306 will modify their 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,

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

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Robert Haverkamp



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
Governor Jeff Colyer, M.D.

February 21, 2018

VAUGHN KOESTER
70656 629TH AVE
DUBOIS NE 68345

Re: Pending New Application, File No. 49,962; and
Applications to Change the Place of Use, File Nos. 48,009 and 48,306

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This is to advise you that Robert Haverkamp has filed the new application referred to above for a permit to appropriate 97 acre-feet of surface water per calendar year to be stored in a proposed reservoir, and re-divert 97 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 Southeast Quarter of the Northwest Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 12, Township 1 South, Range 12 East, Nemaha County, Kansas. In addition, the pending change applications for File Nos. 48,009 and 48,306 will modify their place of use to match the expanded new application irrigation project.

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Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Robert Haverkamp



Topeka Field Office
6531 SE Forbes Ave., Suite B
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Jackie McClaskey, Secretary
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Phone: 785-296-5733
Fax: 785-296-8298
www.agriculture.ks.gov

Governor Jeff Colyer, M.D.

February 21, 2018

TERRY TEGTMEIER
3081 STATE HWY 63
BERN KS 66408

Re: Pending New Application, File No. 49,962; and
Applications to Change the Place of Use, File Nos. 48,009 and 48,306

Dear Sir or Madam:

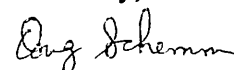
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If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,


Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Robert Haverkamp



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

Governor Jeff Colyer, M.D.

February 21, 2018

LAVERNE MEIER
3024 STATE HWY 63
BERN KS 66408

Re: Pending New Application, File No. 49,962; and
Applications to Change the Place of Use, File Nos. 48,009 and 48,306

Dear Sir or Madam:

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Sincerely,

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

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Robert Haverkamp

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 _____

To be determined by Structures review _____

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.

Changes on File Nos. 48,009 and 48,306 will create a complete overlap in Place of Use. _____

Requested Quantity is maximum allowed per basin runoff calculation. _____

UNACCEPTABLE FOR PRIORITY
WATER RESOURCES RECEIVED
DEC 20 2017
KS DEPT OF AGRICULTURE
SCANNED

FEE SCHEDULE

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

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

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

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

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

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

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

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

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

CONVERSION FACTORS

- 1 acre-foot equals 325,851 gallons
- 1 million gallons equal 3.07 acre-feet

WATER RESOURCES RECEIVED

JAN 05 2018

KS DEPT OF AGRICULTURE

UNACCEPTABLE
WATER RESOURCES RECEIVED
DEC 7 2017
KS DEPT OF AGRICULTURE
SCANNED

Ron Korber
2913 LH Road
BERN KS 66408

Vaughn Koester
70656 629th Avenue
DUBOIS NE 68534

Laverne Meier
3024 STATE HWY 63
BERN KS 66408

Terry Tegemeier
3081 STATE HWY 63
BERN KS 66408

WATER RESOURCES
RECEIVED

JAN 05 2018

SCANNED

KS DEPT OF AGRICULTURE

Schemm, Doug

From: Bunger, Brett
Sent: Wednesday, November 15, 2017 2:04 PM
To: Schemm, Doug
Cc: Keith Grimm (keith@mwivalley.com)
Subject: FW: Nemaha Valley Angus

Doug, would you please take a look at this and help Keith with whatever apps he may need. Please keep me in the loop if there are questions.

Thanks

Brett

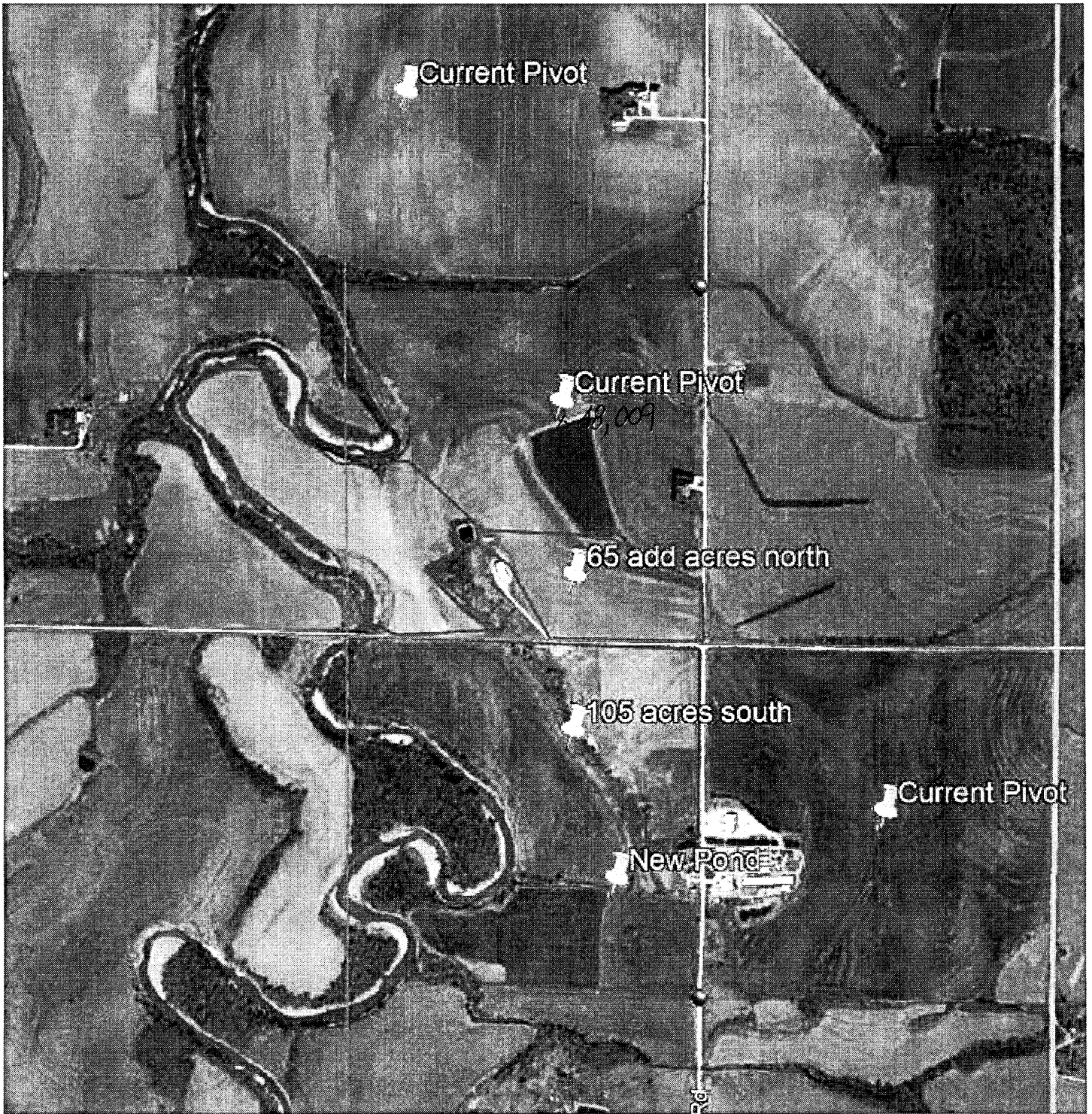
From: Keith Grimm [mailto:Keith@mwivalley.com]
Sent: Friday, November 10, 2017 9:11 AM
To: Bunger, Brett <Brett.Bunger@ks.gov>; 'Robert Haverkamp' <robgeorge1959@yahoo.com>
Subject: Nemaha Valley Angus

Brett

Robert stopped in and we need to add some acres to current permit and add additional permit from a new small 2 acre pond with avg depth of 10feet. The main current pond is permit 48009 and will also need the additional acres added to that and the river permit file 48306 will also need the acres added. The new permit on the little pond will only need the drip acres on it that are outlined in red.

Please let me know if you need any more info..

Keith Grimm



NEW STREAM WORKSHEET

ES AM

Date: 1/0/17

File No. 49962

Basin Name: SF Big Nemaha Basin No. 2

Stream Name: SF Big Nemaha Trib 5

Stream location (confluence with parent stream):

Section 12, Township 1 South, Range 12 (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. 3929 (computer assigned - entered by data entry staff)

Date Entered 1/12/2018 By LLM

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

January 11, 2018

ROBERT HAVERKAMP
2964 L4 RD
BERN KS 66408

RE: Application
File No. 49962

Dear Sir or Madam:

Your application for permit to appropriate water in 12-1S-12W in Nemaha 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) 564-6637. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

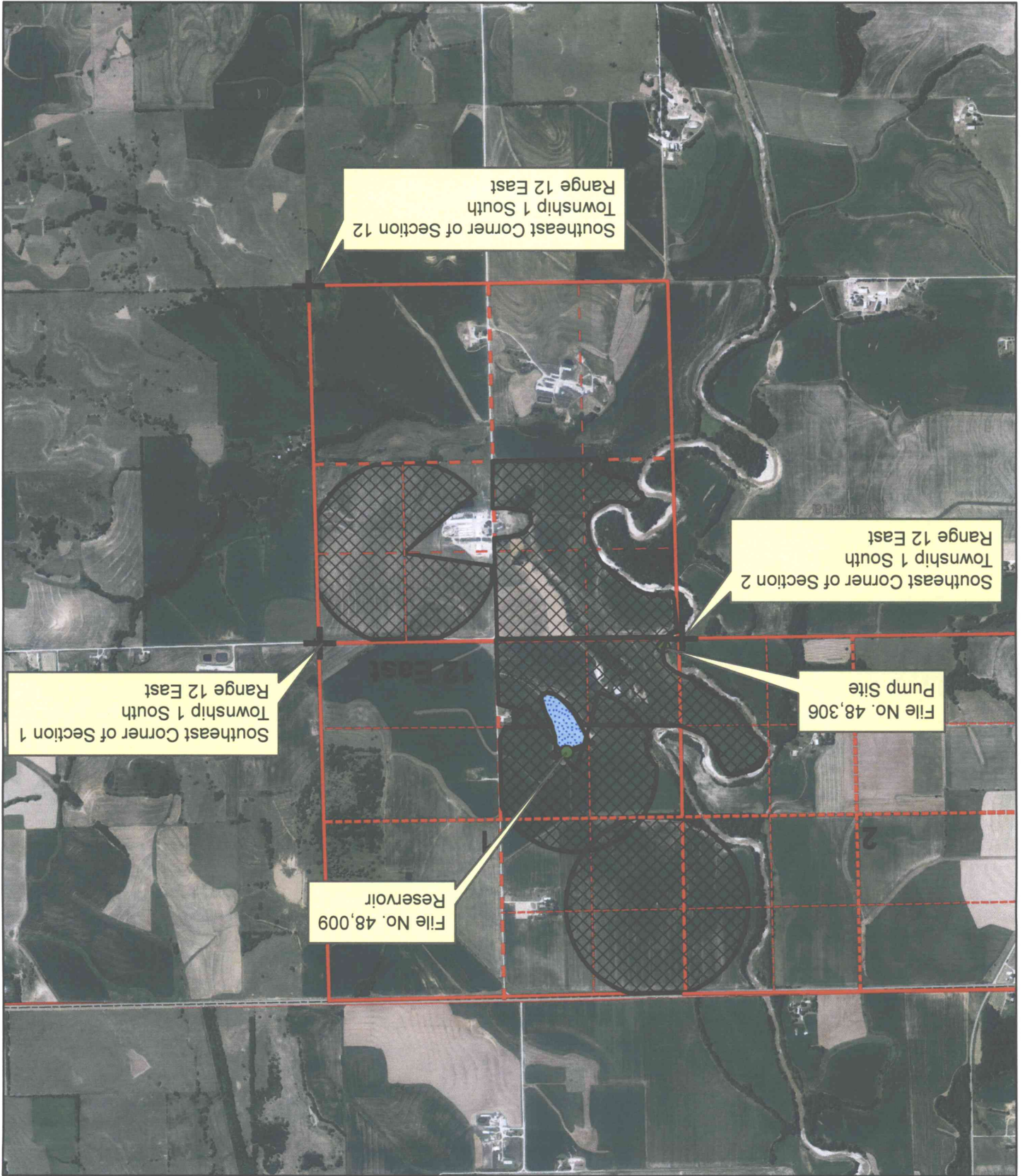
A handwritten signature in cursive script that reads "Kristen A. Baum".

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: TOPEKA Field Office
GMD

SCANNED

ROBERT HAVERKAMP - FILE NO. 48,009 & 48,306
PROPOSED PLACE OF USE MAP



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

Point of Diversion
Proposed Place of Use

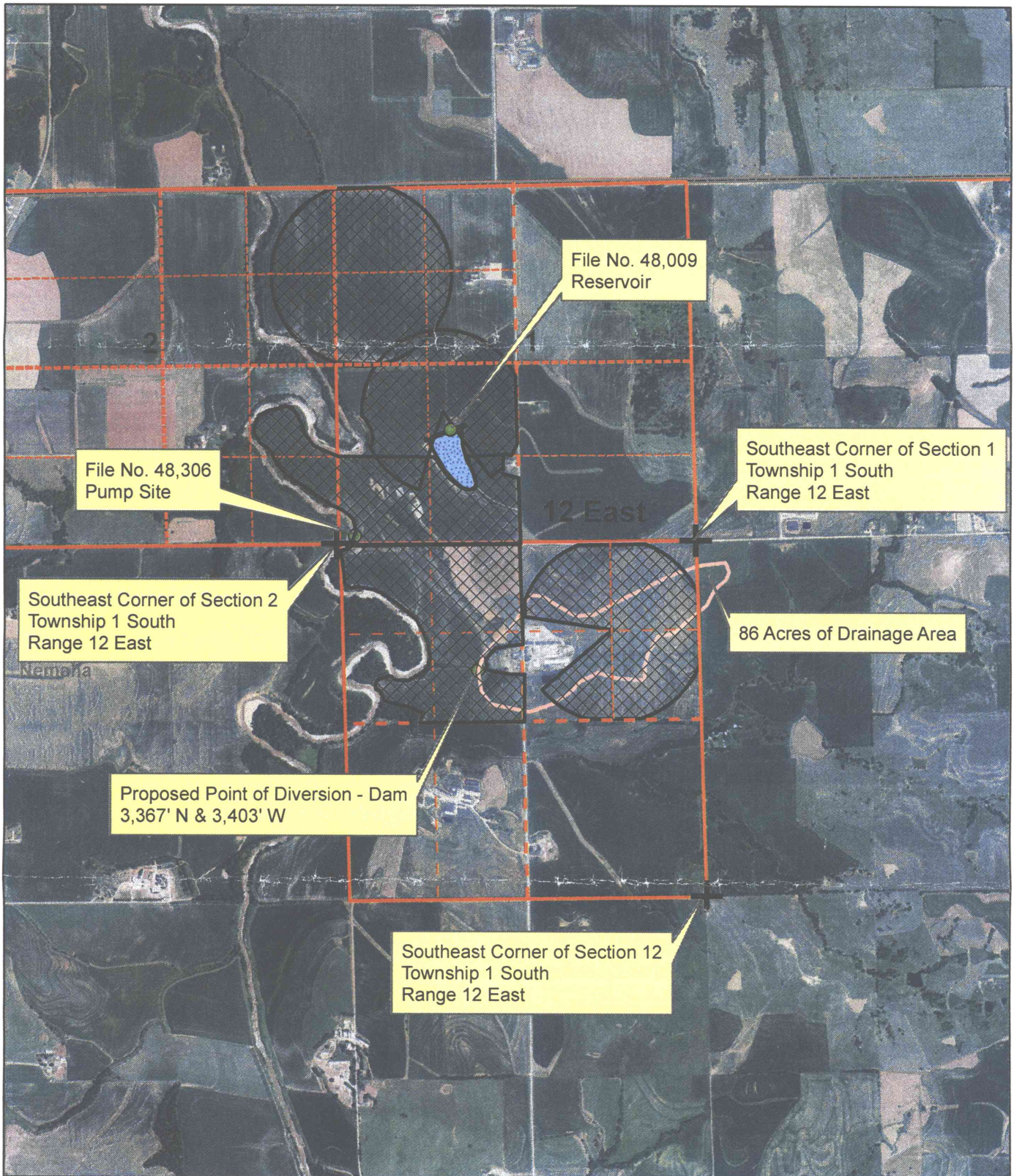


1:24,000



ROBERT HAVERKAMP - NEW APPLICATION - SITE MAP
 SECS. 1, 2, & 12, T1S, R12E
 NEMAHA COUNTY

49942



1:24,000

- Proposed Point of Diversion
- ▨ Proposed Place of Diversion

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



UNACCEPTABLE FOR PRIORITY
 DEC 21 2017

KS DEPT OF AGRICULTURE

JAN 05 2018

SCANNED
 KS DEPT OF AGRICULTURE