

# NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

Shannon 300

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

File Number 50123  
This item to be completed by the Division of Water Resources.

SEP 06 2018  
11:44  
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, Kansas 66502:

1. Name of Applicant (Please Print): Dean + Victor Menold  
Address: 2770 Horned Owl Rd.  
City: Haworth State Ks Zip Code 66434  
Telephone Number: (785) 547-7952

2. The source of water is:  surface water in unnamed tributary to Walnut Creek (stream) 3946 Trib 9A  
OR  groundwater in SF Big Nemaha River (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 300 or whatever Drange will provide. acre-feet OR \_\_\_\_\_ gallons per calendar year, to be diverted at a maximum rate of 1000 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 FRP Source GCS County BR By AW Date 9/6/18  
Code RES Fee \$ 300 TR # \_\_\_\_\_ Receipt Date 9/6/18 Check # 1098

9/10/18 DAW

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 SE quarter of the NE quarter of the NE quarter of Section 23, more particularly described as being near a point 4284 feet North and 130 feet West of the Southeast corner of said section, in Township 1 South, Range 16 (East) West (circle one), Brown 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):

Sam  
 \_\_\_\_\_  
 (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 8-27, 2018. Clayton Marshall  
 \_\_\_\_\_  
 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 Dam & Pump  
 \_\_\_\_\_  
 (number of wells, pumps or dams, etc.)  
 and (was)(will be) completed (by) Dec 2020  
 \_\_\_\_\_  
 (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 21  
 \_\_\_\_\_  
 (Mo/Day/Year)

Water Resources  
 Received  
 SEP 06 2018  
 KS Dept Of Agriculture

- 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*

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 known*

---



---



---



---

Water Resources  
Received

SEP 06 2018

13. *NA* 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/Agent  
(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):  
Joseph E. & Joan M. Webb 3189 Horned Owl Rd Hiawatha, KS 66434  
(name, address and telephone number)

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

Dated at Hiawatha, Kansas, this 27 day of August, 2018  
(month) (year)

*Charles Marshall*  
(Applicant Signature)

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

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

Assisted by Keith Gumm MWT LLC Date: 8/27/18  
(office/title)

Water Resources  
Received  
SEP 06 2018  
KS Dept Of Agriculture

**IRRIGATION USE  
SUPPLEMENTAL SHEET**

File No. 50123

Name of Applicant (Please Print): Dean & Victor Menold

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: Dean & Victor Menold  
ADDRESS: 2770 Horned owl Rd Hiawatha KS 66421

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23	1s	16E	38	40	40	40										39	38	235	
26	1s	16E													40	40	40	38	158
36	1s	16E					37	40											77

470

Landowner of Record NAME: Joseph E & Joan M Holl  
ADDRESS: 3189 Horned owl Rd Hiawatha KS 66424

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23	1s	16E													34	40			74

Total  
544 Acres

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

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

50123

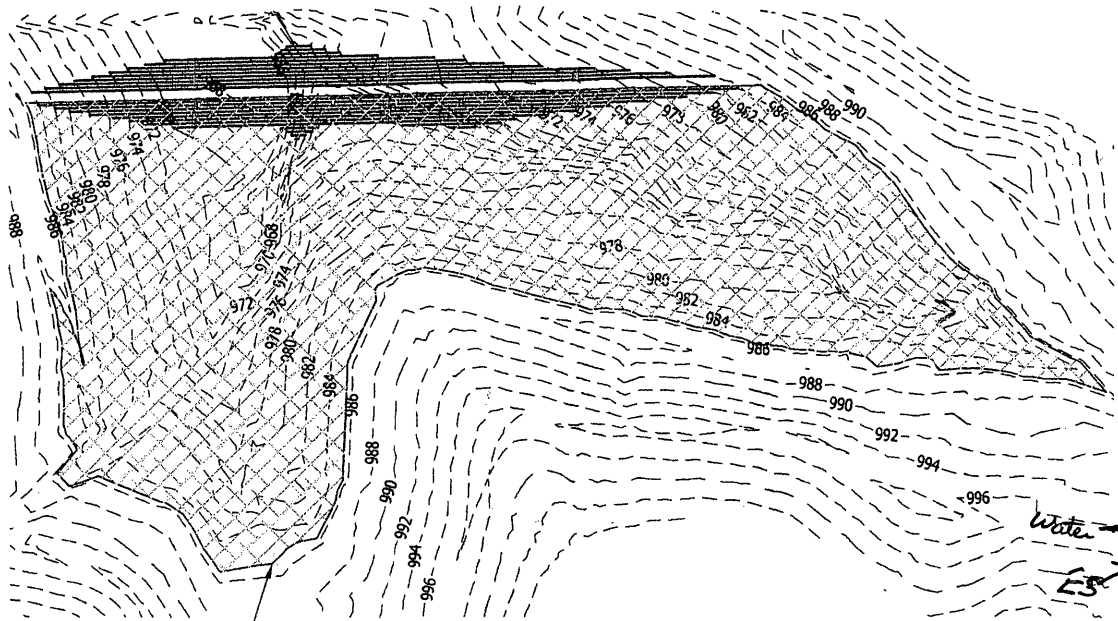
# TOPOGRAPHIC SURVEY

Compute Proposed Stream Obstruction Volume in the Northeast One-Quarter of Section 23, Township 1 South, Range 16 East of the Sixth Principal Meridian, Brown County, Kansas

Water Resources Received

SEP 06 2018

KS Dept. of Agriculture



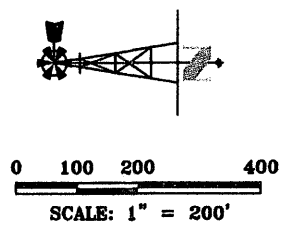
Proposed Top of Stream Obstruction Elevation: 985.50'

Contour	Area	1' Volume	Total Volume	Ac. Ft.
961				
962	11.85	5.93	5.925	0.00014
963	419.67	215.76	221.685	0.00509
964	1,222.17	820.92	1,042.605	0.02393
965	2,763.91	1,993.04	3,035.645	0.06969
966	6,275.25	4,519.58	7,555.225	0.17344
967	12,044.02	9,159.64	16,714.860	0.38372
968	20,475.18	16,259.60	32,974.460	0.75699
969	36,049.28	28,262.23	61,236.690	1.40580
970	59,435.08	47,742.18	108,978.870	2.50181
971	86,922.26	73,178.67	182,157.540	4.18176
972	112,157.88	99,540.07	281,697.610	6.46689
973	139,213.39	125,685.64	407,383.245	9.35223
974	168,389.17	153,801.28	561,184.525	12.88302
975	200,747.52	184,568.35	745,752.870	17.12013
976	237,547.46	219,147.49	964,900.360	22.15106
977	276,724.54	257,136.00	1,222,036.360	28.05409
978	317,014.41	296,869.48	1,518,905.835	34.86928
979	359,891.83	338,453.12	1,857,358.955	42.63909
980	403,191.65	381,541.74	2,238,900.695	51.39809
981	450,867.18	427,029.42	2,665,930.110	61.20133
982	502,452.13	476,659.66	3,142,589.765	72.14393
983	556,988.00	529,720.07	3,672,309.830	84.30463
984	612,434.41	584,711.21	4,257,021.035	97.72776
985	671,450.92	641,942.67	4,898,963.700	112.46473
985.5	701,987.59	343,359.63	5,242,323.328	120.34718
986	733,936.12	702,693.52	5,601,657.220	128.59635

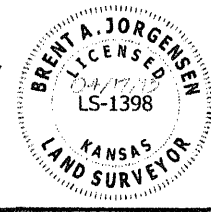
General Notes for Site:  
 Top of Stream Obstruction elevation: 985.50'  
 Rear toe of dam elevation: 959.54'  
 Front toe of dam elevation: 961.82'  
 Maximum height of dam: 25.96'  
 Assumed top of dam width: 12'  
 Assumed front and back slope: 3:1  
 Total Embankment: 33,149 cu yd.

989 - Top Dam  
 984 Top Water

x 2.5



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 04/17/13.



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

ORIGINAL DRAWING SIZE: 1 INCH

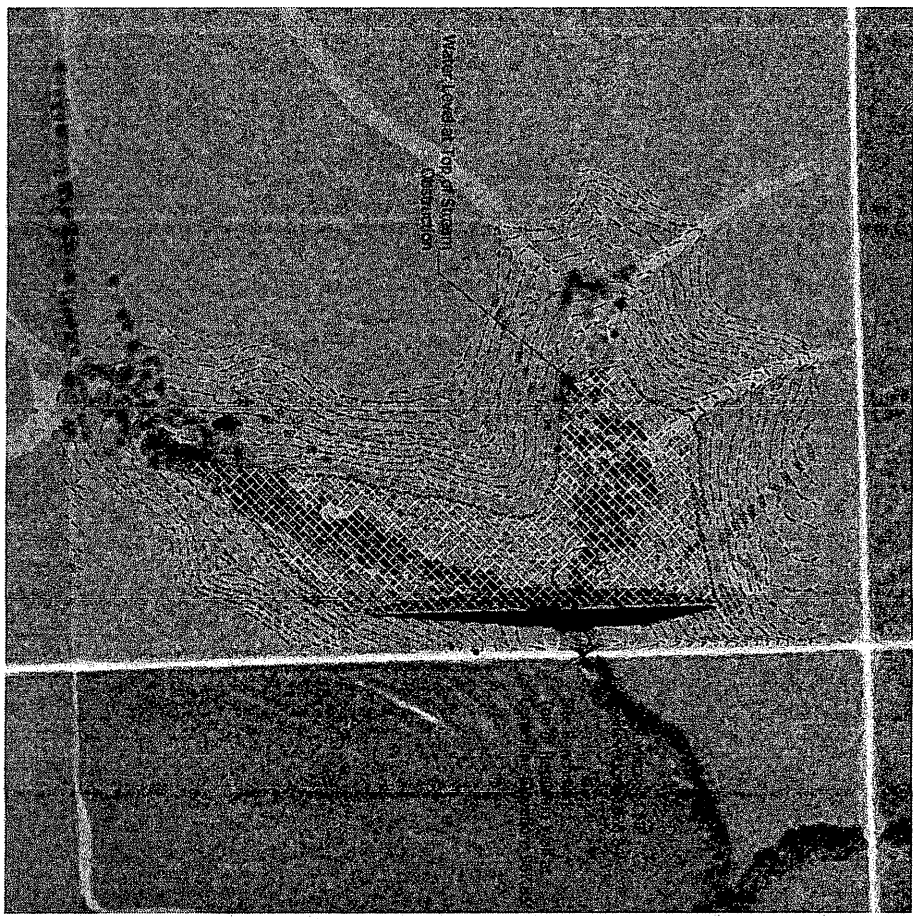
**JORGENSEN SURVEYING**  
 73051 617 Ave  
 Tecumseh, NE 68450  
 (402) 335-2033  
 (402) 335-2043 FAX

**Stream Obstruction**  
 NE 1/4 Sec 23, T1S, R16E  
 Brown County, Kansas  
 PREPARED FOR  
 Midwest Irrigation - Victor Mervold

SCALE	1"=200'
FIELD ON:	04/16/13
CHK. BY	MARCY
DWN. BY	BRENT
DATE:	04/17/13
SHEET	1 OF 2
JOB NO.	5262.30

50123

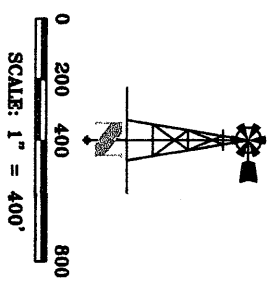
**TOPOGRAPHIC SURVEY**  
 Compute Proposed Stream Obstruction Volume in the Northeast One-Quarter  
 of Section 23, Township 1 South, Range 16 East of the  
 Sixth Principal Meridian, Brown County, Kansas



Water Resources  
Received

SEP 06 2018

KS Dept Of Agriculture



JOB NO. 502.30	SHEET 2 OF 2	DATE: 04/17/13	DWN BY: BRENT	CHK BY: MARCY	FIELD ON: 04/16/13	SCALE: 1"=400'	Stream Obstruction	<b>JORGENSEN SURVEYING</b> 73051 617 Ave Tecumseh, NE 68450 (402) 335-2033 (402) 335-2043 FAX	THIS DRAWING ORIGINALLY CREATED AT SPECIFIED SCALE. IF LINE BELOW DOES NOT MEASURE 1 INCH, DRAWING HAS BEEN REDUCED.  <u>ORIGINAL DRAWING</u> SIZE: 1 INCH
							NE 1/4 Sec 23, T1S, R16E Brown County, Kansas		



# NEW STREAM WORKSHEET

ES ajw

Date: 9/7/2018

File No. 501.23

Basin Name: S F Big Nemaha Basin No. 2

Stream Name: Walnut Creek Trib 9a (S F BIG NEMAHA)

Stream location (confluence with parent stream):

Section 24, Township 1 South, Range 16 (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. 3946 (computer assigned - entered by data entry staff)

Date Entered 9/10/18 By DAW

# 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

9/10/2018

DEAN & VICTOR MENOLD  
2770 HORNED OWL RD  
HIAWATHA, KS 66434

RE: Application, File No. **50123**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application for a permit to appropriate water for beneficial use. Your application has been assigned the file number referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

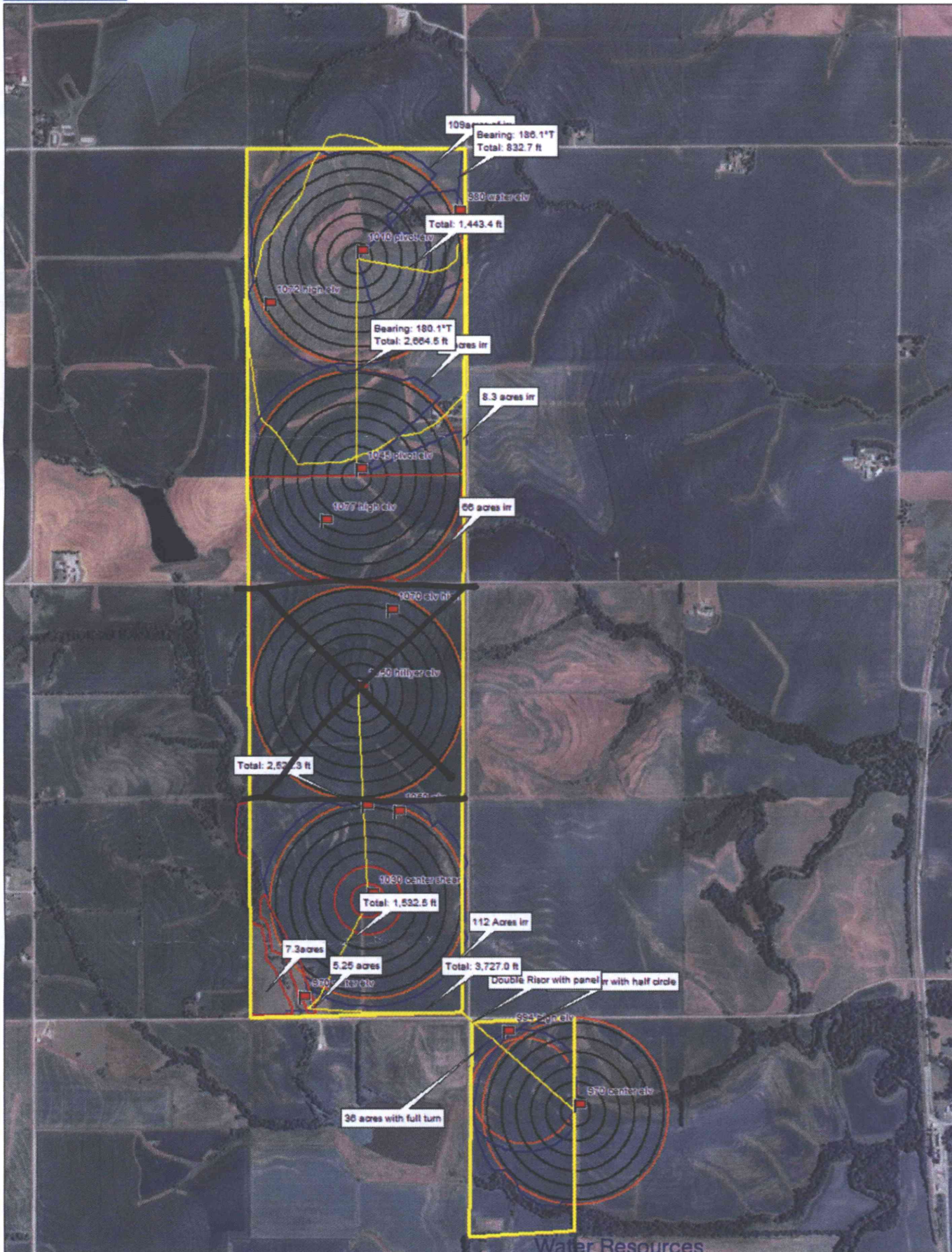
Please note, this letter only acknowledges receipt of your application and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation Act, the use of water as proposed prior to approval of the application is unlawful.

Additional information about the process may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any other questions, please contact our office at 785-564-6640 or your local Topeka Field Office at 785-296-5733. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum  
New Application Unit Supervisor  
Division of Water Resources

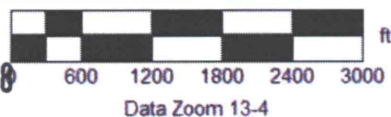
50123



Data use subject to license.  
 © DeLorme. XMap® 7.  
 www.delorme.com

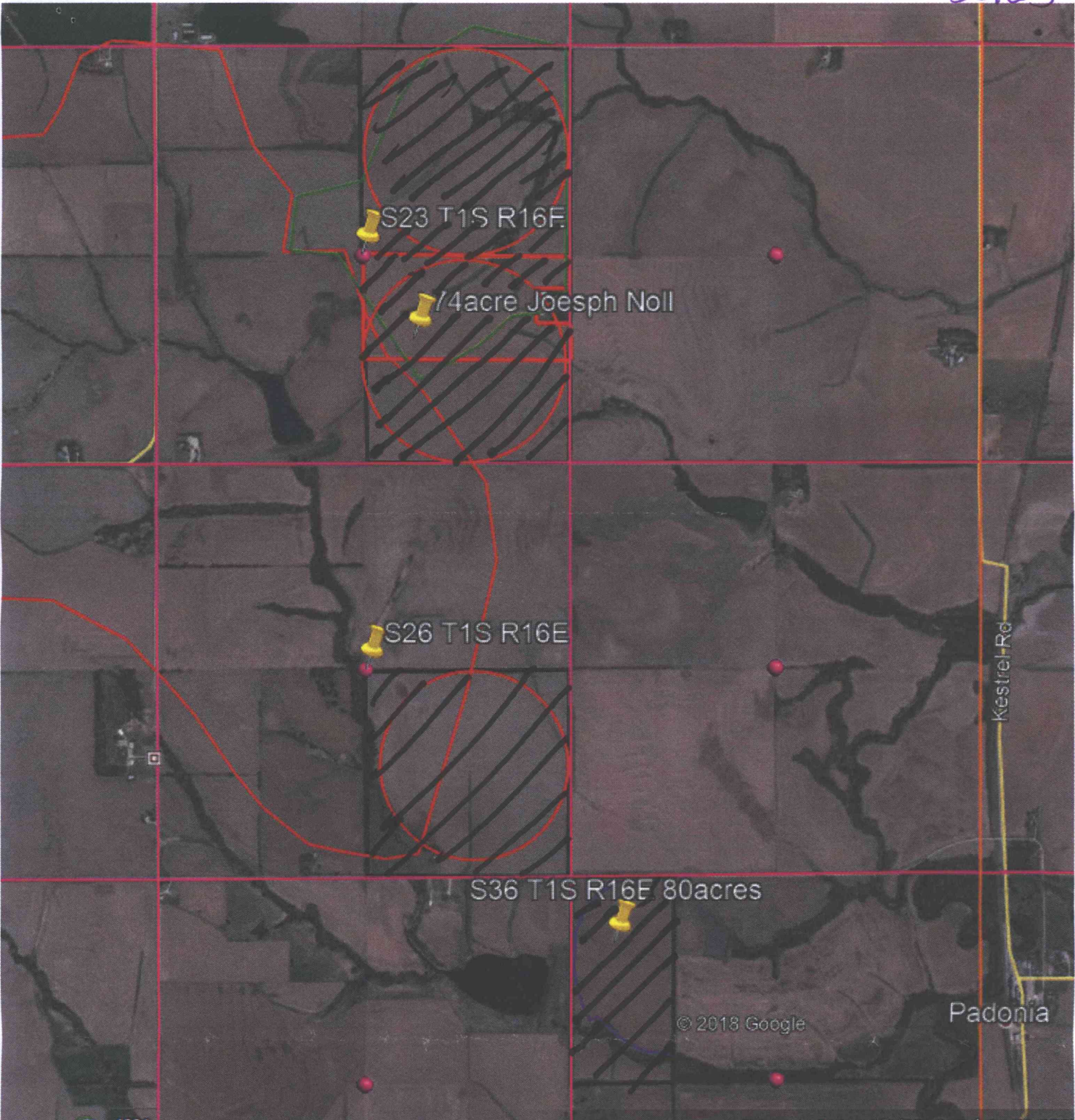
★  
 MN (2.7° E)

Received  
 SEP 06 2010



Data Zoom 13-4

50123

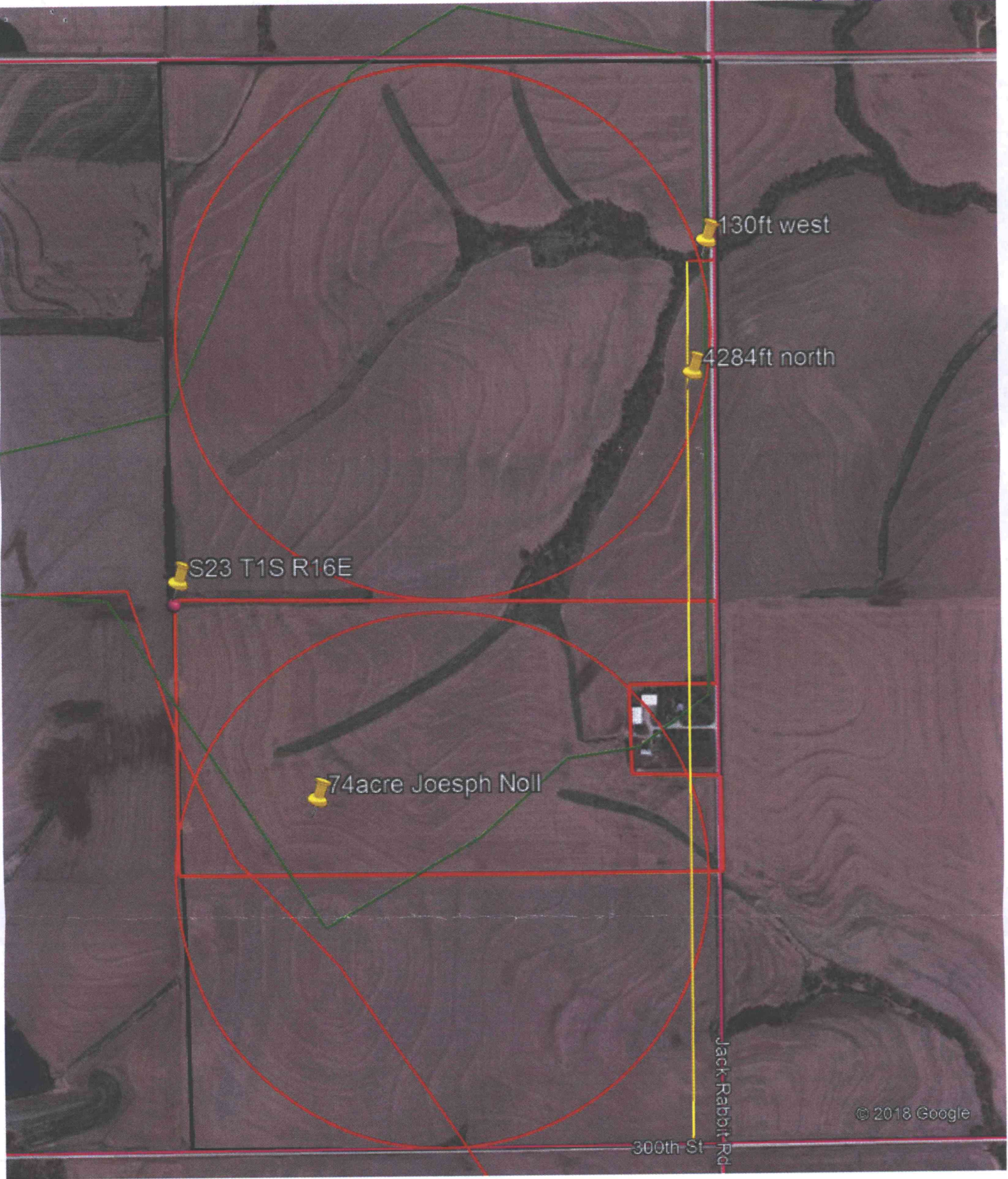


Water Resources  
Received

SEP 06 2018

KS Dept Of Agriculture

50123



Water Resources  
Received

SEP 06 2018

KS Dept Of Agriculture