

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.

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., Chief Engineer

File Number **50716**
This item to be completed by the Division of Water Resources.

2/04/2022

**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.)

Water Resources
Received
2:59
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:

- Name of Applicant (Please Print): TODD ROKEY
Address: 2003 200TH RD
City: SABETHA State KS Zip Code 66534
Telephone Number: (785) 284-3465
 - The source of water is: surface water in DEER CREEK TRIB 1
(stream)
OR groundwater in SOUTH FORK BIG NEMAHA RIVER
(drainage basin)
DIRECT USE = 320 AF
 - The maximum quantity of water desired is STORAGE = 410.4 AF acre-feet OR _____ gallons per calendar year,
to be diverted at a maximum rate of ALL NAT FLOWS gallons per minute OR _____ cubic feet per second.
DIRECT USE = 1000 GPM
DIRECT USE QUANTITY LIMITED TO 320 AF WHEN COMBINED WITH 49278
STORAGE QUANTITY LIMITED TO 410.4 AF WHEN COMBINED WITH 49278
- 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.
- The water is intended to be appropriated for (Check use intended):

(a) <input type="checkbox"/> Artificial Recharge	(b) <input checked="" type="checkbox"/> Irrigation	(c) <input type="checkbox"/> Recreational	(d) <input type="checkbox"/> Water Power
(e) <input type="checkbox"/> Industrial	(f) <input type="checkbox"/> Municipal	(g) <input type="checkbox"/> Stockwatering	(h) <input type="checkbox"/> Sediment Control
(i) <input type="checkbox"/> Domestic	(j) <input type="checkbox"/> Dewatering	(k) <input type="checkbox"/> Hydraulic Dredging	(l) <input type="checkbox"/> Fire Protection
(m) <input type="checkbox"/> Thermal Exchange	(n) <input type="checkbox"/> Contamination Remediation		

QUANTITY AND RATE LIMITED TO 1000 GPM AND 92 AF WHEN COMBINED WITH FILE NO. 28519

For Office Use Only:														
F.O.	<u>1</u>	GMD	Meets K.A.R. 5-3-1	(YES / NO)	Use	<u>IRR</u>	Source	<u>G / S</u>	County	<u>NM</u>	By	<u>BMM</u>	Date	<u>2/7/22</u>
Code	<u>RE3</u>	Fee \$	<u>\$300</u>	TR #	<u>PY00037406</u>	Receipt Date	<u>2/7/2022</u>	Check #	<u>CC</u>					

Water Resources
Received

File No. _____

KS Dept Of Agriculture

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 SE quarter of Section 31, more particularly described as being near a point 1520 feet North and 582 feet West of the Southeast corner of said section, in Township 1 South, Range 14 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 , 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):

LYNN E & ALISA M EDELMAN 2572 R RD SABETHA KS 66537
(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 January 25, 2022. Steven Edelman
Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

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

and (was)(will be) completed (by) NOVEMBER 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 JUNE 2022
(Mo/Day/Year)

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

FLOODPLAIN FILL - LNM-028

• If yes, show the Water Structures permit number here CLASS A EXEMPTION UNDER DNM-0380

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

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.

P/U & P/D - 49278

2/04/2022

Water Resources
Received

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

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

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

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

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

SEE IRRIGATION USE SUPPLEMENTAL SHEET

(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 _____, (month) (year)

Steven L Edelman
(Applicant Signature)

2/04/2022

By _____
(Agent or Officer Signature)

Water Resources
Received

(Agent or Officer - Please Print)

KS Dept Of Agriculture

Assisted by **BRETT BUNGER** _____ **TFO/ASST WATER COMMISSIONER** _____ Date: **9-14-21**
(office/title)

2/7/2022

Water Resources
Received

IRRIGATION USE SUPPLEMENTAL SHEET

File No. _____

KS Dept Of Agriculture

Name of Applicant (Please Print): TODD ROKEY

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: TODD & SHEILA ROKEY

ADDRESS: 2003 200TH RD SABETHA KS 66534

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
31	1	14E	35	40	40	25												140	

Landowner of Record NAME: EUGENE & JUDITH K EDELMAN

ADDRESS: 1926 200TH RD SABETHA KS 66534

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
30	1	14E								40				31				71	
31	1	14E					40			40								80	

Landowner of Record NAME: PEGGY L STRAHM TRUST

ADDRESS: 1969 200TH RD SABETHA KS 66534

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
30	1	14E								11								11	

2/7/2022

STORAGE QUANTITY

Reservoir is limiting factor

Water Resources
Received

DIRECT USE = 320 AF

KS Dept Of Agriculture

RESERVOIR CAPACITY = 80.9 AF

1 YEAR NET EVAP = 9.5 AF

STORAGE = 320 AF + 80.9 AF + 9.5 AF = 410.4 AF

UPSTREAM AND DOWNSTREAM LANDOWNERS

Upstream –

- #1) Steven Aeschliman
2566 T Rd
Sabetha KS 66534
- #2) Wilma Ackerman Rev Trust
2018 200th Rd
Sabetha KS 66534
- #3) Allen & Glenda Rokey Trust
609 N 13th St
Sabetha KS 66534

Downstream –

- #1) City of Sabetha
PO Box 187
Sabetha KS 66534
- #2) Woody Acres
Attn: Andrew Edelman
1915 192nd Rd
Sabetha KS 66534
- #3) Richard Strahm
1999 192nd Rd
Sabetha KS 66534

**IRRIGATION USE
SUPPLEMENTAL SHEET**

Water Resources
Received

KS Dept Of Agriculture

File No. _____

Name of Applicant (Please Print): **TODD ROKEY**

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: **LYNN E & ALISA MEDELMAN**

ADDRESS: **2572 R RD SABETHA KS 66534**

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
31	1	14E														12	40			52

Landowner of Record NAME: **MICHAEL & YALANDA L EDELMAN**

ADDRESS: **1915 200TH RD SABETHA KS 66534**

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
30	1	14E																		38

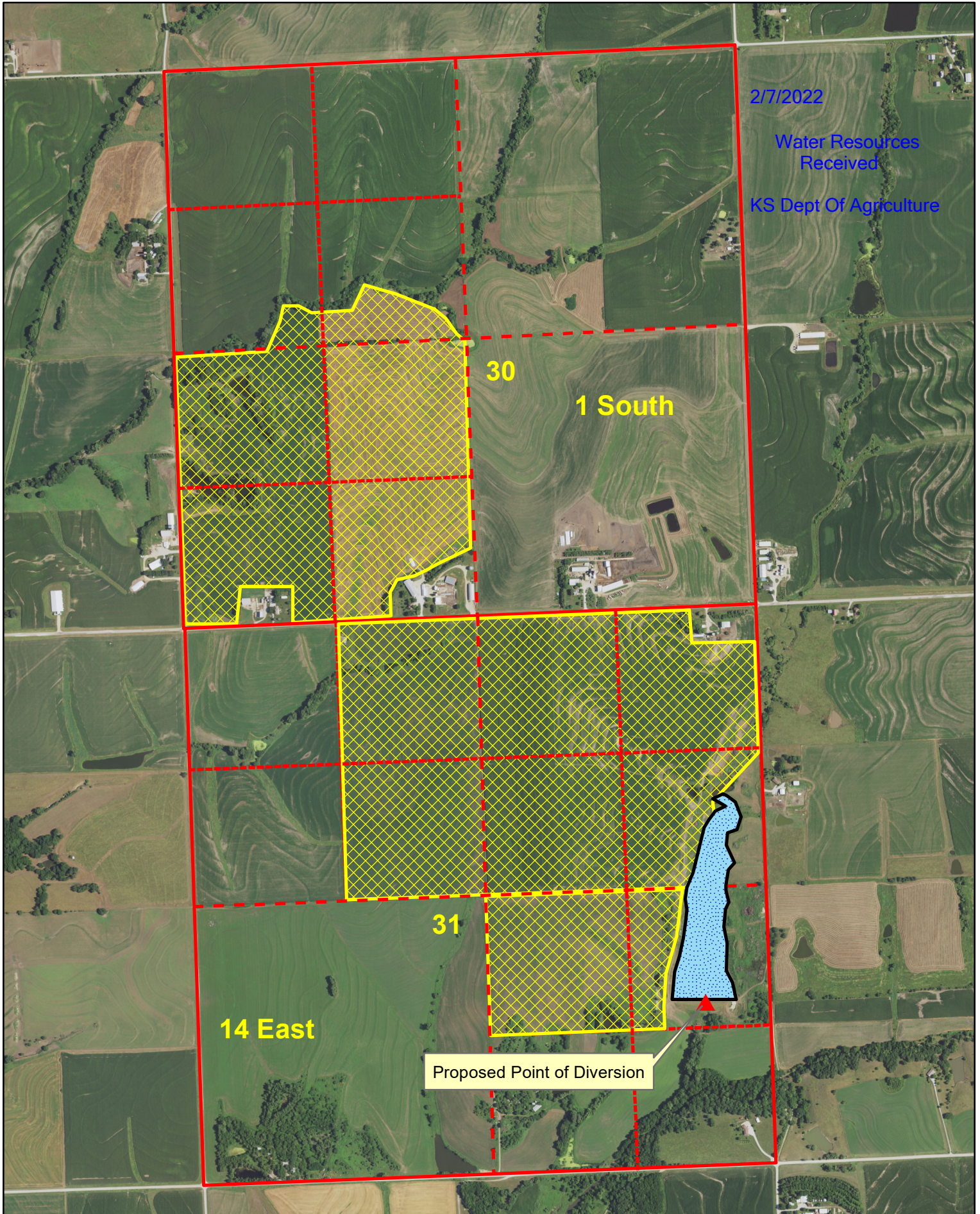
Landowner of Record NAME: **WAYNE A & LINDA MEDELMAN REV TRUST**

ADDRESS: **1751 200TH RD SABETHA KS 66534**

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
30	1	14E							4								40			44

NEW APPLICATION

1:14,000



1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

February 7, 2022

TODD ROCKEY
2003 200TH RD
SABETHA KS 66534

RE: Application, File No(s). **50716**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) for a permit to appropriate water for beneficial use. Your application(s) has been assigned the file number(s) 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(s) 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(s) is unlawful.

Additional information about the process may be found on our website at 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. *Topeka Field Office at 785-296-5733*. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Kris Neuhauser". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kris Neuhauser
New Applications Lead
Water Appropriation Program