

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

1. File Number: <p style="text-align: center; font-size: 1.2em;"><b>50,705</b></p>	2. Status Change Date: <p style="text-align: center; color: purple; font-size: 1.2em;"><b>3/15/2023</b></p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;"><b>01</b></p>	4. GMD: <p style="text-align: center; font-size: 1.2em;"><b>0</b></p>
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
<p>7a. Applicant(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID <b>50143</b> Add Seq# <u>1</u></p> <p><b>JACK H RANSOPHER</b> 531 N HIGH ST CLYDE, KS 66938-9636</p>	<p>7c. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# <u>1</u></p>		
<p>7b. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID <b>66849</b> Add Seq# <u>1</u></p> <p><b>EILEEN M RANSOPHER FAMILY TRUST</b> Attn: JACK H RANSOPHER 531 N HIGH ST CLYDE, KS 66938-9636</p>	<p>7d. Misc. New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p>		
<p>8. WUR Correspondent New to system <input type="checkbox"/> Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="text-align: right;">Person ID <b>50143</b> Add Seq# _____ Notarized WUC Form <input type="checkbox"/></p> <p><b>7a.</b></p>	<p>9. Use of Water:    Changing?    <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No</p> <p style="padding-left: 40px;"><input checked="" type="checkbox"/> Groundwater    <input type="checkbox"/> Surface Water</p> <p><input checked="" type="checkbox"/> IRR            <input type="checkbox"/> REC            <input type="checkbox"/> DEW            <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK            <input type="checkbox"/> SED            <input type="checkbox"/> DOM            <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG    <input type="checkbox"/> WTR PWR    <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____    <input type="checkbox"/> OTHER: _____</p>		
10. Completion Date: <u>12/31/2024</u> 11. Perfection Date: <u>12/31/2028</u> 12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
<p>Date Prepared: <b>3/2/2023</b>            By: <b>LHH</b></p> <p>Date Entered: <span style="border: 1px solid blue; padding: 2px;">3/21/2023</span>            By: <b>LMoody</b></p>			

File No. **50,705**      15. Formation Code: **113**      Drainage Basin: **REPUBLICAN RIVER**      County: **CY**      Special Use:      Stream:

16. Points of Diversion  
 T  
 MOD  
 DEL      PDIV  
 ENT  
 Qualifier      S      T      R      ID      'N      'W

17. Rate and Quantity  
 Authorized      Additional  
 Rate      Quantity      Rate      Quantity  
 gpm      af      gpm      af      Overlap PD Files

√      **82753**      **LOT 8**      **12**      **6S**      **1E**      **2**      **3908**      **2002**

**800**      **80**      **290**      **0**      **42544**

18. Storage: Rate \_\_\_\_\_ Quantity \_\_\_\_\_ ac/ft      Additional Rate \_\_\_\_\_ Additional Quantity \_\_\_\_\_ ac/ft

19. Limitation: \_\_\_\_\_ **80** af/yr at \_\_\_\_\_ **800** gpm ( \_\_\_\_\_ **1.78** cfs) when combined with file number(s) **42544**  
 Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_

20. Meter Required?  Yes  No      To be installed by \_\_\_\_\_ **12/31/2024** \_\_\_\_\_ Date Acceptable Meter Installed \_\_\_\_\_

21. Place of Use							NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? <b>NO</b>	Overlap Files		
T	MOD	DEL	ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
√				<b>50065</b>	<b>12</b>	<b>6S</b>	<b>1E</b>	<b>2</b>	<b>L2</b> <b>10</b>	<b>L3</b> <b>39</b>	<b>L8</b> <b>39</b>	<b>L9</b> <b>13</b>	<b>L4</b> <b>16</b>			<b>L7</b> <b>16</b>									<b>133</b>	<b>7b.</b>	<b>NO</b>	<b>42544</b>

Comments:

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

**TO:** Files

**DATE:** March 2, 2023

**FROM:** Lloyd Hemphill

**RE:** Application, File No. 50,705

Jack Ransopher has filed the referenced new application requesting to appropriate 80 acre-feet of groundwater at a rate of 800 gallons per minute for irrigation use. The proposed point of diversion is one existing well located in Lot 8 of Section 12, Township 6 South, Range 1 East, Clay, within the Republican River Drainage Basin. This application shares the point of diversion and place of use of Water Right, File No. 42,544. The place of use and point of diversion are owned by the Eileen M Ransopher Family Trust. The applicant signed the application stating that he has legal access to the point of diversion. The overlapping senior file authorizes the appropriation of 80 acre-feet at a rate of 510 gallons per minute. The new permit will be further limited to 80 acre-feet when combined with the existing file (providing no additional quantity) and to a diversion rate of 800 gpm.

The existing well is located within the effective alluvial aquifer of the Republican River. Per, K.A.R. 5-3-16a, there is no water available from this source (i.e. does not meet safe yield). The approval of "rate-only" applications is covered by K.A.R. 5-4-5. "Rate-only" applications are subject to safe yield criteria unless certain conditions are met. Per K.A.R. 5-4-5(b)(2), rate only applications proposing to increase the rate by more than 15 percent shall be exempt from safe yield criteria if it is demonstrated that the increase in rate of diversion will not impair existing water rights; will not prejudicially and unreasonably affect the public interest; and will not substantially increase the consumptive use in violation of K.A.R. 5-5-3. The senior file was originally approved for a rate of 1,000 gpm, following a rigorous safe yield analysis including overlapping Theis drawdown circles and a Jenkins stream depletion analysis. This new application is proposing a lower rate than was originally approved and will have less impact on existing water rights than the original application. Therefore, this application is exempt from safe yield criteria.

The maximum reasonable quantity for irrigation of the proposed 133 acres in Clay County is 159.6 acre-feet (133 ac. X 1.2 AF/ac), per K.A.R. 5-3-23. This application will not add any additional quantity, but the senior file is authorized approximately half of this quantity (80 acre-feet). The existing file has shown that this quantity is reasonable and, furthermore, the quantity cannot be increased.

Only one non-domestic well is located within one-half mile of the proposed point of diversion. A nearby notification letter was sent on November 4, 2022. No response was received. There are no domestic wells within one-half mile. Therefore, the proposed point of diversion meets minimum well spacing criteria to all existing wells per K.A.R. 5-4-4 and the proposed appropriation is not expected to impair any existing water rights.

The applicant submitted a signed Minimum Desirable Streamflow form, which has been properly notarized. By completing this statement, the applicant affirms his/her knowledge that there could be times when the diversion of water may not be allowed under these permits.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R 5-1-12. If any chemical or foreign substance is injected into the water pumped under these permits, check valves will also need to be installed.

Based on the above discussion, well spacing criteria is met, the diversion is exempt from safe yield criteria, and approval of the applications will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced new application be approved.

Lloyd Hemphill  
Environmental Scientist  
Topeka Field Office

Feb 23-2023

(Date)

Kansas Department of Agriculture  
Division of Water Resources  
Earl D. Lewis, Jr., Chief Engineer  
1320 Research Park Drive  
Manhattan, Kansas 66502

Re: Application  
File No. 50705

Minimum Desirable Streamflow  
Water Reservation Rights

I understand that a Minimum Desirable Streamflow requirement has been established or a Water Reservation Right is held by the Kansas Water Office for the source of supply to which the above referenced application applies, namely the Effective Alluvial Aquifer of the Republican River.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met or when a Reservation Right upstream of a Federal Reservoir is being administered.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

Jack Ransopher  
Signature of Applicant

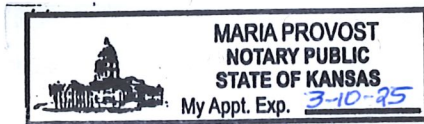
JACK RANSOPHER  
Print Applicant Name

State of Kansas )  
County of Cloud ) SS

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 23rd day of February, 2023

Maria Provost  
Notary Public

My Commission Expires:



RECEIVED

FEB 27 2023

Topeka Field Office  
DIVISION OF WATER RESOURCES

**FORM TO BE USED WHEN APPLICABLE  
WHEN FILING AN APPLICATION FOR PERMIT  
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.<sup>1</sup>

Arkansas River	Ninnescah River
Big Blue River	North Fork Ninnescah River
Chapman Creek	Rattlesnake Creek
Chikaskia River	Republican River
Cottonwood River	Saline River
Delaware River	Smoky Hill River
Little Arkansas River	Solomon River
Little Blue River	South Fork Ninnescah
Marais des Cygnes River	Spring River
Medicine Lodge River	Walnut River
Mill Creek (Wabaunsee Co. area)	Whitewater River
Neosho River	

Assurance Districts have been formed on the following rivers:

Kansas River                      Marias des Cygnes River                      Neosho River

The Kansas Water Office has Water Reservation Rights for the following reservoirs:

Big Hill	Marion
Clinton	Melvern
Council Grove	Milford
Elk City	Perry
Hillsdale	Pomona
John Redmond	Tuttle Creek

Topeka Field Office  
1131 SW Winding Rd, Suite 400  
Topeka, KS 66615



Phone: 785-296-5733  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

February 3, 2023

JACK H RANSOPHER  
531 N HIGH ST  
CLYDE, KS 66938-9636

RE: Application, File No. 50,705

Dear Sir:

After further review of your pending application for appropriation of water for irrigation use, additional information is required to continue processing the application.

A Minimum Desirable Streamflow (MDS) requirement has been established for the Republican River Basin. Please sign and notarize the enclosed form acknowledging that the use of water proposed by this application will be subject to this requirement.

Please return the requested information to the Topeka Field Office at the address above by **March 3, 2023**. If you have any questions, please contact me at (785) 296-8682. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in blue ink that reads "Lloyd Hemphill".

Lloyd Hemphill  
Environmental Scientist  
Topeka Field Office

## Hemphill, Lloyd [KDA]

---

**From:** Kopp, Kenneth  
**Sent:** Friday, December 16, 2022 4:29 PM  
**To:** Letourneau, Lane [KDA]; Bunger, Brett [KDA]; Baum, Kristen [KDA]; Hemphill, Lloyd [KDA]; Johnson, Shaun [KDA]; Smith, Tyler [KDA]  
**Subject:** RE: Rate only apps in the Republican?

I obviously wasn't involved in the original discussion, but Brett is right. That much of an increase in rate doesn't meet KAR 5-4-5. (Approval of applications for additional rate only.)

I was discussing with Kristen the old Munson analysis for safe yield in RR alluvium at the time the original permit was issued. We didn't do a standard 2-mile circle there. SY was instead based on quantity and rate and a series of concentric overlapping Theis drawdown circles that constituted the area of consideration for precipitation recharge. RR SY analysis also considered stream depletion with a Jenkin's analysis.

In this case, the application was approved for 1000 gpm using those criteria, but the applicant apparently only perfected 510 gpm and is wanting to bump back up to 800 gpm. Given that 1000 gpm met the original rigorous safe yield requirements (designed to prevent impairment) for the larger quantity, I don't think I have a problem with either waiving the reg. or saying that the original analysis constitutes the requirements in 5-4-5(b)(2), but I'm open to discussion.

(And both filles would be junior to MDS.)

-Ken

---

**From:** Letourneau, Lane [KDA] <Lane.Letourneau@ks.gov>  
**Sent:** Friday, December 16, 2022 3:18 PM  
**To:** Bunger, Brett [KDA] <Brett.Bunger@ks.gov>; Baum, Kristen [KDA] <Kristen.Baum@ks.gov>; Hemphill, Lloyd [KDA] <Lloyd.Hemphill@ks.gov>; Johnson, Shaun [KDA] <Shaun.Johnson@ks.gov>; Smith, Tyler [KDA] <Tyler.Smith@ks.gov>  
**Cc:** Kopp, Kenneth <Kenneth.Kopp@ks.gov>  
**Subject:** RE: Rate only apps in the Republican?

Team,

If we approved an additional rate application the authorized quantity is still controls how they can divert water. They get to the end faster. Plus the additional rate application is junior to MDS. It is the first on off.

My two cents. I don't have a problem with an additional rate application as long as it does not impair.

Thanks

Lane

---

**From:** Bunger, Brett [KDA] <[Brett.Bunger@ks.gov](mailto:Brett.Bunger@ks.gov)>  
**Sent:** Friday, December 16, 2022 1:54 PM  
**To:** Baum, Kristen [KDA] <[Kristen.Baum@ks.gov](mailto:Kristen.Baum@ks.gov)>; Hemphill, Lloyd [KDA] <[Lloyd.Hemphill@ks.gov](mailto:Lloyd.Hemphill@ks.gov)>; Johnson, Shaun [KDA] <[Shaun.Johnson@ks.gov](mailto:Shaun.Johnson@ks.gov)>; Smith, Tyler [KDA] <[Tyler.Smith@ks.gov](mailto:Tyler.Smith@ks.gov)>  
**Cc:** Letourneau, Lane [KDA] <[Lane.Letourneau@ks.gov](mailto:Lane.Letourneau@ks.gov)>; Kopp, Kenneth <[Kenneth.Kopp@ks.gov](mailto:Kenneth.Kopp@ks.gov)>  
**Subject:** RE: Rate only apps in the Republican?

Safe yield in the Republican is pretty simple. There is an established quantity, something like 60,200 acre-feet that is the safe yield. If total water rights in the basin exceed that then we don't meet safe yield. The last time Munson ran the numbers we were a fair amount over the mark so we have not approved a new application since the mid 1990's would be my guess. That is my recollection.

---

**From:** Baum, Kristen [KDA] <[Kristen.Baum@ks.gov](mailto:Kristen.Baum@ks.gov)>

**Sent:** Friday, December 16, 2022 1:41 PM

**To:** Bunger, Brett [KDA] <[Brett.Bunger@ks.gov](mailto:Brett.Bunger@ks.gov)>; Hemphill, Lloyd [KDA] <[Lloyd.Hemphill@ks.gov](mailto:Lloyd.Hemphill@ks.gov)>; Johnson, Shaun [KDA] <[Shaun.Johnson@ks.gov](mailto:Shaun.Johnson@ks.gov)>; Smith, Tyler [KDA] <[Tyler.Smith@ks.gov](mailto:Tyler.Smith@ks.gov)>

**Cc:** Letourneau, Lane [KDA] <[Lane.Letourneau@ks.gov](mailto:Lane.Letourneau@ks.gov)>; Kopp, Kenneth <[Kenneth.Kopp@ks.gov](mailto:Kenneth.Kopp@ks.gov)>

**Subject:** RE: Rate only apps in the Republican?

Looping in Ken on this one. I don't have any experience with safe yield in the Republican R alluvium and it sounds like rate is factor so this situation might be different than a regular rate only application.

---

**From:** Bunger, Brett [KDA] <[Brett.Bunger@ks.gov](mailto:Brett.Bunger@ks.gov)>

**Sent:** Friday, December 16, 2022 1:11 PM

**To:** Hemphill, Lloyd [KDA] <[Lloyd.Hemphill@ks.gov](mailto:Lloyd.Hemphill@ks.gov)>; Johnson, Shaun [KDA] <[Shaun.Johnson@ks.gov](mailto:Shaun.Johnson@ks.gov)>; Smith, Tyler [KDA] <[Tyler.Smith@ks.gov](mailto:Tyler.Smith@ks.gov)>

**Cc:** Baum, Kristen [KDA] <[Kristen.Baum@ks.gov](mailto:Kristen.Baum@ks.gov)>; Letourneau, Lane [KDA] <[Lane.Letourneau@ks.gov](mailto:Lane.Letourneau@ks.gov)>

**Subject:** RE: Rate only apps in the Republican?

Sorry Lloyd I have no recollection of this. The only way that they can get to 800 is a waiver.

---

**From:** Hemphill, Lloyd [KDA] <[Lloyd.Hemphill@ks.gov](mailto:Lloyd.Hemphill@ks.gov)>

**Sent:** Friday, December 16, 2022 8:20 AM

**To:** Bunger, Brett [KDA] <[Brett.Bunger@ks.gov](mailto:Brett.Bunger@ks.gov)>; Johnson, Shaun [KDA] <[Shaun.Johnson@ks.gov](mailto:Shaun.Johnson@ks.gov)>; Smith, Tyler [KDA] <[Tyler.Smith@ks.gov](mailto:Tyler.Smith@ks.gov)>

**Cc:** Baum, Kristen [KDA] <[Kristen.Baum@ks.gov](mailto:Kristen.Baum@ks.gov)>

**Subject:** FW: Rate only apps in the Republican?

I know it was a year ago, but does anyone recall whether there was any discussion following this email from Katie? I am just trying to tell what we might have told Jack or Mike.

Katie prepared a rate only application, and it was submitted as File No. 50705

Thanks,  
Lloyd

---

**From:** Tietzsort, Katie [KDA] <[Katie.Tietzsort@ks.gov](mailto:Katie.Tietzsort@ks.gov)>

**Sent:** Monday, December 13, 2021 4:22 PM

**To:** KDA DWR Topeka FO Group <[KDADWRTopekaFOGroup@ks.gov](mailto:KDADWRTopekaFOGroup@ks.gov)>

**Cc:** Baum, Kristen [KDA] <[Kristen.Baum@ks.gov](mailto:Kristen.Baum@ks.gov)>

**Subject:** Rate only apps in the Republican?

Can we do rate-only apps in the Republican for a well? Jack Ransopher has visited with Mike at Sargeant Drilling about adding a well and making a well battery (which he cannot do because of safe yield) or additional well. The Republican alluvium is closed. We talked about trying to bring up the rate on his 510 gpm file no. 42544. (Mike- 785-714-0921). I told him I think we can do rate only there but would call him back tomorrow with a clear answer.



*Katie Tietsort*

Water Commissioner

[Katie.Tietsort@ks.gov](mailto:Katie.Tietsort@ks.gov)

Ph. 785-296-5733 Cell 785-213-9188

Kansas Department of Agriculture

Topeka Field Office

1131 SW Winding Rd, Suite 400

Topeka, KS 66615

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
Earl D. Lewis Jr., 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. 50,705 of the applicant:

JACK H RANSOPHER  
531 N HIGH ST  
CLYDE KS 66938-9636

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:

- That the priority date assigned to such application is **January 18, 2022**.
- 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	
12 - 6S - 1E	Lot 2 10	Lot 3 39	Lot 8 39	Lot 9 13	Lot 4 16			Lot 7 16									133

3. That the authorized source from which the appropriation shall be made is groundwater in the Republican river basin, to be withdrawn by means of one (1) well located in Lot 8 of Section 12, more particularly described as being near a point 3,908 feet North and 2,002 feet West of the Southeast corner of said section, in Township 6 South, Range 1 East, Clay County, Kansas, located substantially as shown on the map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **800 gallons per minute** (1.78 c.f.s.) and to a quantity not to exceed **80 acre-feet** of water for any calendar year.

5. That installation of works for diversion of water shall be completed on or before **December 31, 2024**, or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$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 of \$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, 2028**, 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 of \$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 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 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 all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

13. That an acceptable water flow meter shall be installed and maintained on the 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).

14. 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.

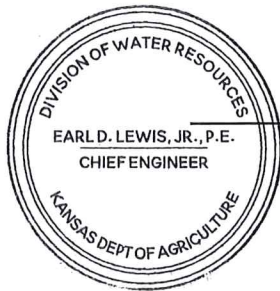
15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

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.

17. That the quantity of water and the rate of diversion approved under this permit is further limited to the quantity and rate which combined with Water Right, File No. 42,544, will provide a total not to exceed **80 acre-feet** of water per calendar year to be diverted at a maximum diversion rate not in excess of **800 gallons per minute** (1.78 c.f.s.) for irrigation use on the land described herein.

18. 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.

Ordered this *15<sup>th</sup>* day of *March*, 2023, in Manhattan, Riley County, Kansas.



*Earl D. Lewis Jr.*  
\_\_\_\_\_  
Earl D. Lewis Jr., P.E.  
Chief Engineer  
Division of Water Resources  
Kansas Department of Agriculture

State of Kansas )  
                          ) SS  
County of Riley )

The foregoing instrument was acknowledged before me this *15<sup>th</sup>* day of *March*, 2023, by Earl D. Lewis Jr., P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

*Melinda Jennings*  
\_\_\_\_\_  
Notary Public





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

March 21, 2023

JACK H RANSOPHER  
531 N HIGH ST  
CLYDE KS 66938-9636

RE: Appropriation of Water  
File No. 50,705

Dear Mr. Ransopher:

Enclosed is a permit authorizing you to proceed with construction of the proposed diversion works, if applicable, and to appropriate water for beneficial use as set forth in the permit. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in this permit.

Notice must be filed on the enclosed form once the diversion works have been completed. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of this permit. If you need an extension of time, you must request it before the deadline for completion set forth in the permit. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00.

An acceptable water flowmeter must be installed on the diversion works authorized by this permit prior to using water. An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year. If a complete annual water use report is not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your report online at [www.kswaterusereport.org](http://www.kswaterusereport.org).

The approval of your application constitutes a permit to appropriate water. It does not give authority to construct any dam or other stream obstruction regulated by K.S.A. 82a-301 through 305a. It does not give authority to access any right-of-way or authorize trespassing upon or injury to public or private property. It may also be necessary for you to comply with other local, state or federal requirements.

Also included is an informational sheet that sets forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your perfected water right. Additional information and applicable forms may be found on our website at [agriculture.ks.gov/dwr](http://agriculture.ks.gov/dwr). If you have any questions or need assistance with any of these requirements, 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  
Water Appropriation Program

KAB:lh  
Enclosures

pc: Topeka Field Office

## 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 request an evidentiary hearing before the Chief Engineer, or 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 Division, 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 review 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.

## CERTIFICATE OF SERVICE

On this 21 day of March, 2023, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,705, dated March 15, 2023, was mailed postage prepaid, first class, US mail to the following:

JACK H RANSOPHER  
531 N HIGH ST  
CLYDE KS 66938-9636

With photocopies to:

KDA-DWR Topeka Field Office



---

Division of Water Resources