

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

1. File Number: 50,022	2. Status Change Date: 10/17/2018	3. Field Office: 03	4. GMD: 0
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			
7a. Applicant(s) Person ID <u>26240</u> New to system <input type="checkbox"/> Add Seq# _____ DENNIS L & JUDITH E ERKENBRACK 551 PAWNEE TRAIL REPUBLIC KS 66964	7c. Landowner(s) Person ID <u>60383</u> New to system <input checked="" type="checkbox"/> Add Seq# <u>1</u> KENNETH (DREW) ERKENBRACK PO BOX 4 REPUBLIC KS 66964		
7b. Landowner(s) Person ID <u>60382</u> New to system <input checked="" type="checkbox"/> Add Seq# <u>1</u> DENNIS L ERKENBRACK FAMILY TRUST 551 PAWNEE TRAIL REPUBLIC KS 66964	7d. Landowner Person ID _____ New to system <input type="checkbox"/> Add Seq# _____		
8. WUR Correspondent Person ID <u>26240</u> New to system <input type="checkbox"/> Add Seq# _____ Overlap File (s) WUC Notarized WUC Form <input type="checkbox"/> Agree <input type="checkbox"/> Yes <input type="checkbox"/> No <div style="border: 1px dashed black; padding: 2px; display: inline-block;">7A</div>	9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Groundwater <input checked="" type="checkbox"/> Surface Water <input checked="" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN <input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON <input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG <input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____		
10. Completion Date: <u>12/31/2019</u>		11. Perfection Date: <u>12/31/2023</u>	
12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
Date Prepared: 7/26/2018 By: DWS Date Entered: 10/18/2018 By: LM			

File No. **50,022** 15. Formation Code: Drainage Basin: **Republican River** County: **RP** Special Use: Stream: **REPUBLICAN RIVER TRIB 10A (REPUBLICAN)**

16. Points of Diversion									
MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	
√	86672	NW SE SE	26	2S	5W	1	924	1023	

17. Rate and Quantity Mod Addl qty				
Authorized		Additional		
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
1000	175	1000	0	NONE

18. Storage: Rate _____ NF Quantity **175** ac/ft Additional Rate _____ NF Additional Quantity **175** ac/ft

19. Limitation: **192** af/yr at _____ gpm (_____ cfs) when combined with file number(s): ~~385; 4673~~; **38,315 and 47,786 (On the Place of Use) and Bostwick**
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

20. Meter Required? Yes No To be installed by **12/31/2019** Date Acceptable Meter Installed _____

21. Place of Use MOD DEL ENT	T PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? YES	Overlap Files
						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 61972	25	2S	5W	6																	39.5	7c.	YES	38,315 & 47,786*	
MOD 66186	26	2S	5W	2	29				28								6	13		20.5	24	120.5	7a.	YES	38,315 & 47,786*
																						160			

Comments: ***OVERLAP WITH BOSTWICK IRR DISTRICT**
Puse comment

Kansas Department of Agriculture
 Division of Water Resources
WAIVER REQUEST & WAIVER RULE WORKSHEET

File Number: 50,022

FO: 3 GMD: 0

WAIVER REQUEST:

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
IRR	7/26/2018	157	Statewide	Safe Yield	Availability of Groundwater and Surface Water in the Lower Republican River Basin
Rule Number	Date Granted	Date Denied	Justification:	Any dam permitted in the Lower Republican River Basin must be equipped with a controlled outlet to allow water to pass through the dam. The applicant's existing dam has been in place for many years and is not equipped with a controlled outlet. The approval will be conditioned to require the owner to ensure an adequate bypass of the dam either by tube, valve, syphon, pump or other acceptable method, over, through, or around the dam to the channel below, when required.	
K.A.R. 5-3-11(d)(6)	10/17/2018				

WAIVER RULE:

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive

Date Prepared 7/26/2018 By dws

Date Entered 10/18/2018 By UM



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**WAIVER OF REGULATION
K.A.R. 5-3-11(d)(6)**

Date: 10/17, 2018.

Re: Application, File No. 50,022

1. That this application is proposing to divert water by means of an existing dam located within the Lower Republican River Basin. The dam is located on Republican River Trib 10 A.
2. That per K.A.R. 5-3-11(d)(6) any dam permitted on an ephemeral stream shall meet the requirements of K.A.R. 5-40-1 *et seq.* and be equipped with a controlled outlet with a minimum diameter of four inches. Any dam permitted on an intermittent or perennial stream shall be equipped with a controlled outlet with a minimum diameter of four inches. The controlled outlet shall be placed to allow water to pass through the dam at or near streambed elevation.
3. That the dam has been in place for many years and it does not have a controlled outlet.
4. That the applicant has requested a waiver of K.A.R. 5-3-11(d)(6), and the permit will be conditioned such that the owner must be able to provide an adequate bypass of the dam either by tube, valve, syphon, pump or other acceptable method, over, through, or around the dam to the channel below, when required.
5. That waiving this regulation for existing dams is consistent with previous application processing within the Lower Republican River Basin.
6. That with proper conditioning, the waiver will not prejudicially or unreasonably affect the public interest, and no senior rights will be impaired by the proposed use.

Comments:

A handwritten signature in cursive script that reads "David W. Barfield".

David W. Barfield, P.E.
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: July 26, 2018

FROM: Doug Schemm

RE: Application, File No. 50,022

Dennis Erkenbrack filed the above referenced new application proposing to appropriate surface water for irrigation use by the collection and storage of natural flows from Republican River Trib 10 A (Republican) in an existing reservoir. File Nos. 38,315 and 47,786 will overlap in Place of Use, after changes in place of use are approved. In addition, the Bostwick Irrigation District overlaps in Place of Use. The applicant has signed the application form stating that he has legal access to the point of diversion. The reservoir is located in the Southeast Quarter of Section 26, Township 2 South, Range 5 West, Republic County, Kansas.

The application's place of use comprises a total of 160 acres. Based on the Republic County Deed search and further discussion with the applicant, it was determined that Kenneth Drew Erkenbrack owns the property in Lot 3 and Lot 6 in Section 25, and the Dennis L. Erkenbrack Family Trust owns the property in Section 26. Property ownership was corrected based on this information.

File No. 38,315 is authorized 48 acre-feet, and File No. 47,786 is authorized 192 acre-feet (limited to 192 acre-feet with the senior file). The new application is requesting 175 acre-feet of direct use. The maximum allowable quantity of water for Republic County is 1.2 acre-feet per acre, which for 160 acres would be equivalent to 192 acre-feet. Therefore, this application will be limited to 192 acre-feet of direct IRR use with the senior files and the Bostwick Irrigation District files, providing 0 additional quantity of water. Note that the proposed place of use of 160 acres is the same number of acres as the senior files already authorize. The changes are designed to make sure that all the acres currently being irrigated are authorized.

A list of nearby landowners within one-half mile upstream and downstream of the property lines was provided by the applicant, and they were notified by letter dated July 12, 2018. No responses of any kind were received. There are many surface water appropriations within a two (2) mile circle radius of the point of diversion, however they are all located either on the mainstem Republican River or on a different stream. The nearest downstream pump site is over 4000 feet away on the Republican River. The adjacent landowners have operated in this area for many years, they are typically aware of their neighbor's irrigation projects, and they are also all familiar with the conditions related to surface water diversions within the Republican River basin. With proper conditioning, there is no indication that approval of this permit will impair any senior water right.

Per K.A.R. 5-3-11(d)(6), applications to appropriate surface water from tributaries to the mainstem of the Lower Republican by means of dams may be approved only if the approval will not result in impairment of existing rights, nor prejudicially and unreasonably affect the public interest. Any dam permitted on an ephemeral stream shall meet the requirements of K.A.R. 5-40-1 *et seq.* and be equipped with a controlled outlet with a minimum diameter of four inches. Any dam permitted on an intermittent or perennial stream shall be equipped with a controlled outlet with a minimum diameter of four inches. The controlled outlet shall be placed to allow water to pass through the dam at or near streambed elevation. The applicant has stated that this is an existing reservoir that has been in place for many years, and it does not have a controlled outlet. **A waiver** of this regulation is required for approval of this application. The applicant was informed that he could be required to bypass natural inflows into his reservoir, and that he would have to have the equipment necessary to accomplish this. The applicant requested a waiver of the controlled outlet requirement on his application form. The applicant will be required to bypass flows if requested.

Runoff computations have determined that the 280-acre drainage area will result in 175 acre-feet of runoff in 1 out of every five (5) years (a 20% chance). This **IS** the limiting factor, and it is the quantity requested for storage and rediversion under File No. 50,022, per K.A.R. 5-6-5.

The applicant has submitted a signed Minimum Desirable Streamflow (MDS) statement, which has been notarized. By completing this statement, the applicant affirms his knowledge that there could be times when the diversion of water may not be allowed under this permit. The structure was reviewed by DWR Structures Program staff and was determined to be non-jurisdictional for structures permitting.

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 this permit, a check valve will also need to be installed.

Kelly Stewart, Water Commissioner, Stockton Field Office, recommended the referenced application, be approved in an e-mail received on July 27, 2018. Based on the above discussion, the Republican Basin is open to new appropriations meeting specific criteria, the applicant has requested a waiver of drawdown tube requirements, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved, in conjunction with Change in Place of Use for File Nos. 38,315 and 47,786.

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

FILE COPY

DENNIS ERKENBRACK
551 PAWNEE TRAIL
REPUBLIC KS 66964

October 22, 2018

Re: Appropriation of Water, File No. 50,022

Dear Mr. Erkenbrack:

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 redirection 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: Stockton Field Office
Dennis L. Erkenbrack Family Trust
Kenneth Drew Erkenbrack

THE STATE OF KANSAS



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. 50,022 of the applicant

**DENNIS L & JUDITH E ERKENBRACK
551 PAWNEE TRAIL
REPUBLIC KS 66964**

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 **March 26, 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	
25	2S	5W										Lot 3 20.5	Lot 6 19						39.5
26	2S	5W	29			28								6	13		20.5	24	120.5

3. That the appropriation sought shall be limited to all natural flows of an unnamed tributary to the Republican River, designated in the office of the Chief Engineer as Republican River Trib 10A (Republican), 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 **175 acre-feet** per calendar year in one (1) reservoir created by a dam located in the Northwest Quarter of the Southeast Quarter of the Southeast Quarter (NW¼ SE¼ SE¼) of Section 26, more particularly described as being near a point 924 feet North and 1,023 feet West of the Southeast corner of said section, in Township 2 South, Range 5 West, Republic County, Kansas, to provide **175 acre-feet** of water as needed for direct irrigation use to be withdrawn, released or otherwise diverted from the reservoir at a re-diversion rate of approximately **1,000 gallons per minute (2.23 c.f.s.)**. A reasonable maximum re-diversion rate will be established during the perfection period and assigned at certification.

4. That installation of works for diversion of water shall be completed on or before **December 31, 2019** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee, which is currently \$400.00, when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.

5. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2023** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.

6. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

7. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

8. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

9. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

10. That all re-diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the re-diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

11. That an acceptable water flow meter shall be installed and maintained on the re-diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

12. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

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

14. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

15. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

16. That the owner must provide for an adequate bypass of the dam either by tube, valve, syphon, pump or other acceptable method, over, through, or around the dam to the channel below, when requested by the Chief Engineer, or an authorized representative of the Chief Engineer.

17. That the quantity of water approved under this permit is further limited to the quantity which combined with Water Right, File Nos. 385; 4,673; 38,315; and Appropriation of Water, File No. 47,786, will provide a **total not to exceed 192 acre-feet** of water per calendar year for irrigation use on the land described herein.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

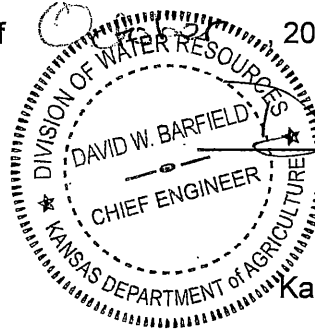
Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

Ordered this 17th day of October, 2018, in Topeka, Shawnee County, Kansas.



David W. Barfield
David W. Barfield, 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 17th day of October, 2018, by David W. Barfield, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



Karen Hunter
Notary Public

CERTIFICATE OF SERVICE

On this 2nd day of October, 2018, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,022, dated October 17th, 2018 was mailed postage prepaid, first class, US mail to the following:

DENNIS L & JUDITH E ERKENBRACK
551 PAWNEE TRAIL
REPUBLIC KS 66964

With photocopies to:

KENNETH DREW ERKENBRACK
PO BOX 4
REPUBLIC KS 66964

Stockton Field Office

Danielle Wilson

Division of Water Resources

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 50022
This item to be completed by the Division of Water Resources.

Water Resources
Received
MAR 26 2018
2:23
KS Dept Of Agriculture

APPLICATION COMPLETE
4/20/18
Reviewer MAJ

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): Dennis Erkenbrack
Address: 551 Pawnee Trail
City: Republic State KS Zip Code 66964
Telephone Number: (785) 2438-6204 (cell) 361-2456 (home)

2. The source of water is: surface water in unnamed trib to Republican River Trib 10 A
(stream)
OR groundwater in Republican
(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. ***to be rediverted at 1000 gpm**

3. The maximum quantity of water desired is 175* 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. 3 GMD Meets K.A.R. 5-3-1 (YES / NO) Use IRR Source G(S) County PP By AW Date 3/20/18
Code VEA Fee \$ 300 TR # _____ Receipt Date 3/20/18 Check # 10845

SCANNED
4/2/2018 UCM

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 SE quarter of Section 26, more particularly described as being near a point 924 feet North and 1023 feet West of the Southeast corner of said section, in Township 2 South, Range 5 West, Republic _____ 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)

(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 3-20, 2018. [Signature]
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 (one) dam, creating one (1) reservoir
(number of wells, pumps or dams, etc.)
and (was) completed (by) previously completed
(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 2018
(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

• If yes, show the Water Structures permit number here _____

• If no, explain here why a Water Structures permit is not required ~~non-jurisdictional/exempt (L-Bristow)~~

NOTE: pre-existing structure; waiver of requirement for minimum 4" diameter controlled outlet at/near streambed elevation is requested.

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.

PU overlap: Files 38,315; 47,786 (after changes) and Bostwick Irrigation District.

Structure capacity = 30.695 AF; Surface Area = 5.55 AF; Potential storage quantity limited to potential annual run-off (20% chance). Drainage area = 280 ac. x 7.5" x 1/12 = 175 AF (see Attachment A)

Direct use quantity will be limited to 192 AF w/ Files 38,315 & 47,786.

**Water Resources
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MAR 26 2018

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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):

owner X
(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 Republic, Kansas, this 20 day of 3, 2018.
(month) (year)


(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by J. Barker Env. Scientist/Stock FO Date: March 12, 2018
(office/title)

1000
1000000
10000000
100000000
1000000000

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 50022

Name of Applicant (Please Print): Dennis Erkenbrack

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: Dennis Erkenbrack
ADDRESS: 551 Pawnee Trail, Republic, KS 66964

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
25	02	05w										Lot 3 20.5	Lot 6 19							39.5
26	02	05w				28									6	13		20.5	24	120.5

Landowner of Record NAME: Kenneth (Drew) Erkenbrack (785) 614-1355
ADDRESS: P.O. Box 4, Republic KS 66964

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
25	2	5W										Lot 3 20.5	Lot 6 19							39.5

Landowner of Record NAME: _____ *160 acres*
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		

**Water Resources
Received**

MAR 26 2018

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 50022

Name of Applicant (Please Print): Dennis Erkenbrack

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: Dennis Erkenbrack

ADDRESS: 551 Pawnee Trail, Republic, KS 66964

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
25	02	05w										Lot 3 20.5	Lot 6 19						39.5	
26	02	05w	29			28									6	13		20.5	24	120.5

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		

**Water Resources
Received**

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2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): _____ %

Estimate the maximum land slope in the field(s): _____ %

c. Type of irrigation system you propose to use (check one):

- Center pivot _____ Center pivot - LEPA _____ "Big gun" sprinkler
 Gravity system (furrows) _____ Gravity system (borders) _____ Sideroll sprinkler

Other, please describe: _____

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: _____ psi

(2) What is the sprinkler package design rate? _____ gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? _____ feet

(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

Alfalfa
Soy beans
corn

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

You may attach any additional information you believe will assist in informing the Division of the need for your request.

50022

Attachment A

Estimated capacity = 31 AF

One year direct use = 175 AF (based on potential annual runoff @ 20% chance)

One year evaporation = 5.5 surface acres x 21" / year = 9.63 AF

Total storage requested = 175 AF

K.A.R. 5-6-4

Potential Annual Runoff (20% Chance)

Normal annual precipitation = 29"

Soil complex number = 77

Runoff / Acre = 7.5"

Drainage area = ²⁸⁰~~180~~ acres (per Leonard Bristow)

Potential runoff = 175 AF

K.A.R. 5-6-5

a) $7.5" \times 180 \text{ ac} \times 1/12 = 175 \text{ AF}$

b)

1) (A) 175 AF

(B) Potential net evaporation x Capacity x 3 years

$$= 9.625 \text{ AF} \times 31 \text{ AF} \times 3 = 895.125 \text{ AF}$$

2) (A) 175 AF (1 year direct use)

(B) 31 AF (storage capacity)

(C) 9.625 AF (1 year indirect use)

Beneficial use + Reservoir Capacity + 1 year indirect use = 215.625 AF

Water Resources
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PROPOSED RESERVOIR: Section 26 POND

1. Darlyne Standley: 1475 Hefty Rd. Courtland, KS
66966
2. Brian Rosene: Address Unavailable
(Contact Person: Steve Howley: 785-527-1010)
3. James Faulkner Dart Trust: Lisa Lala: 11 Z Street
St. Lake Lotawana, MO 64086
4. Charles Robison: 935 Timber Rd. Scandia, KS
66966

Water Resources
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MAR 26 2018

KS Dept Of Agriculture

Attachment A

Estimated capacity = 31 AF

One year direct use = 175 AF (based on potential annual runoff @ 20% chance)

One year evaporation = 5.5 surface acres x 21" / year = 9.63 AF

Total storage requested = 175 AF

K.A.R. 5-6-4Potential Annual Runoff (20% Chance)

Normal annual precipitation = 29"

Soil complex number = 77

Runoff / Acre = 7.5"

Drainage area = 180 acres (per Leonard Bristow)

Potential runoff = 175 AF

K.A.R. 5-6-5

a) $7.5" \times 180 \text{ ac} \times 1/12 = 175 \text{ AF}$

b)

1) (A) 175 AF

(B) Potential net evaporation x Capacity x 3 years

$$= 9.625 \text{ AF} \times 31 \text{ AF} \times 3 = 895.125 \text{ AF}$$

2) (A) 175 AF (1 year direct use)

(B) 31 AF (storage capacity)

(C) 9.625 AF (1 year indirect use)

Beneficial use + Reservoir Capacity + 1 year indirect use = 215.625 AF

Water Resources
Received

MAR 26 2010

KS Dept Of Agriculture
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PROPOSED RESERVOIR: Section 26 POND

1. Darlyne Standley: 1475 Hefty Rd. Courtland, KS
66966
2. Brian Rosene: Address Unavailable
(Contact Person: Steve Howley: 785-527-1010)
3. James Faulkner Dart Trust: Lisa Lala: 11 Z Street
St. Lake Lotawana, MO 64086
4. Charles Robison: 935 Timber Rd. Scandia, KS
66966

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Received

MAR 26 2018

KS Dept Of Agriculture
SCANNED

(Date)

Kansas Department of Agriculture
Division of Water Resources
David W. Barfield, Chief Engineer
1320 Research Park Drive
Manhattan, Kansas 66502

Re: Application
File No. 50002

Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

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.

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.

x

Dennis L. Erkenbrack
Signature of Applicant

State of Kansas)
) ss
County of Republic)

Dennis L. Erkenbrack
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 20th day of March, 2018.

Jay Russell
Notary Public

My Commission Expires: 9/6/2021



Water Resources
Received

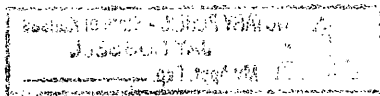
MAR 26 2018

**MINIMUM DESIRABLE STREAMFLOW 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.

Arkansas River
Big Blue River
Chapman Creek
Chikaskia River
Cottonwood River
Delaware River
Little Arkansas River
Little Blue River
Marais des Cygnes River
Medicine Lodge River
Mill Creek (Wabaunsee Co. area)
Neosho River

Ninnescah River
North Fork Ninnescah River
Rattlesnake Creek
Republican River
Saline River
Smoky Hill River
Solomon River
South Fork Ninnescah
Spring River
Walnut River
Whitewater River



Faint, illegible text, possibly a date or official mark.

Faint, illegible text, possibly a date or official mark.

Faint, illegible text, possibly a date or official mark.

NEW STREAM WORKSHEET

ES AMW

Date: 3/26/18

File No. 50022

Basin Name: Republican Basin No. 27

Stream Name: Republican River Trib 10A (Republican)

Stream location (confluence with parent stream):

Section 26, Township 2 South, Range 5 ^{West} (~~East~~)

Map Color Coding:

Basin Stream – Blue

Named Main Stream off Basin Stream – Yellow

Named Stream off Main Stream – Green

Unnamed Trib (1, 2, 3, 4, etc.) – Pink

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

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

Stream No. 3 9 3 4 (computer assigned - entered by data entry staff)

Date Entered 4/2/2018 By LLM

#50,022

Schemm, Doug [KDA]

From: Stewart, Kelly [KDA]
Sent: Thursday, July 26, 2018 1:39 PM
To: Schemm, Doug [KDA]
Cc: Billinger, Mark [KDA]; Hageman, Rebecca [KDA]
Subject: RE: Dennis Erkenbrack 50,022

Doug,

I have no objection to the approval of this application along with the waiver. This is an existing structure and has been utilized by the previous landowner for many years without any problems.

Kelly

From: Schemm, Doug [KDA]
Sent: Thursday, July 26, 2018 1:14 PM
To: Stewart, Kelly [KDA] <Kelly.Stewart@ks.gov>
Cc: Billinger, Mark [KDA] <Mark.Billinger@ks.gov>
Subject: Dennis Erkenbrack 50,022

This is going to require a waiver for not having a controlled outlet per the regs. It's an existing reservoir that has been in place for many years.

I haven't done one of these in while with the Bostwick involved. Do we limit quantity to the Bostwick files and the senior files (see below)?

16. That the quantity of water approved under this permit is further limited to the quantity which combined with Water Right, File Nos. 385; 4,673; 38,315; and Appropriation of Water, File No. 47,786, will provide a **total not to exceed 192 acre-feet** of water per calendar year for irrigation use on the land described herein.

Please review,
Thanks, Doug

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50022 00

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50022 00 IRR

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

924 Feet North and 1023 Feet West of the Southeast Corner of Section 26 T 2S R 5W

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__ 1832	00	IRR	NK	S	9705	--	NE	NW	NW	5180	4200	6	3	4W	4	212.00	212.00	AF	
Same					10523	NC	S2	N2	NW	4250	3930	6	3	4W	5				
A__ 1863	00	IRR	NK	S	10153	--	SE	SW	SW	357	4530	13	2	5W	5	150.00	140.00	AF	
A__ 2806	00	IRR	NK	S	5718	--	--	--	--	3170	1475	36	2	5W	6	45.00	45.00	AF	
A__ 6532	00	IRR	NK	S	3478	--	--	--	--	5104	3025	36	2	5W	5	56.00	56.00	AF	
A__ 30509	00	IRR	NK	S	9968	NC	E2	NW	NW	4455	4488	6	3	4W	10	105.00	105.00	AF	
A__ 31753	00	IRR	NK	S	7601	--	SE	SE	SE	130	290	34	2	5W	1	70.50	70.50	AF	
A__ 32683	00	IRR	NK	S	6794	--	SW	NE	SE	1825	925	34	2	5W	2	123.00	123.00	AF	
A__ 38315	00	IRR	NK	S*	1071	--	--	--	--	1100	5260	25	2	5W	5	48.00	48.00	AF	
A__ 39260	00	IRR	NK	S	3478	--	--	--	--	5104	3025	36	2	5W	5	81.00	81.00	AF	
A__ 40548	00	IRR	NK	S	9945	--	SE	NW	SW	1730	4400	1	3	5W	4	118.00	118.00	AF	
A__ 44591	00	IRR	MM	S	5369	--	NW	SW	SW	762	4690	24	2	5W	5	73.00	73.00	AF	
A__ 45002	00	IRR	MM	S	5699	--	--	--	--	3190	1485	36	2	5W	7	200.00	200.00	AF	
A__ 45012	00	IRR	LR	S	10137	--	SE	SW	SW	339	4522	13	2	5W	4	146.40	146.40	AF	
A__ 46868	00	IRR	MM	S	5699	--	--	--	--	3190	1485	36	2	5W	8	90.00	45.00	AF	
A__ 47495	00	IRR	LO	S	5369	--	NW	SW	SW	762	4690	24	2	5W	5	65.00	65.00	AF	
A__ 47786	00	IRR	LO	S*	4472	--	NW	NW	NW	5210	5078	25	2	5W	10	192.00	144.00	AF	
A__ 50021	00	IRR	AY	S	5369	--	NW	SW	SW	762	4690	24	2	5W	5	44.40	44.40	AF	
A__ 50022	00	IRR	AY	S	0	--	NW	SE	SE	924	1023	26	2	5W	1	175.00	175.00	AF	
VRP	16	00	IRR	AA	S	10153	--	SE	SW	SW	357	4530	13	2	5W	5	10.00	10.00	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	219.40	175.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	355.40	.00
Total Pro_Cert Amount (AF) =	318.00	.00
Total Certified Amount (AF) =	998.50	.00
Total Vested Amount (AF) =	10.00	.00
TOTAL AMOUNT (AF) =	1901.30	175.00

An * after the source of supply indicates a pending application for change under the file number.
 An * after the ID indicates a 15 AF exemption was granted under the file number.
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
 The number in the Batt column is the number of wells in the battery.

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

924 Feet North and 1023 Feet West of the Southeast Corner of Section 26 T 2S R 5W

SURFACE WATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 1832	00	IRR	NK S
>	W BENSON KEIL		
>			
>	1912 UNION RD		

> CONCORDIA KS 66901

>-----

A__ 1863 00 IRR NK S

> THAYNE A & JEANNE LARSON TRUSTS

>

> 1325 US HIGHWAY 36

> BELLEVILLE KS 66935

>-----

A__ 2806 00 IRR NK S

> ROBISON FARMS INC

>

> PO BOX 183 1390 70 RD

> SCANDIA KS 66966

>-----

A__ 6532 00 IRR NK S

> ROBISON FARMS INC

>

> PO BOX 183 1390 70 RD

> SCANDIA KS 66966

>-----

A__ 30509 00 IRR NK S

> L MICHAEL BRZON

>

> 610 NICKEL RD

> COURTLAND KS 66939

>-----

A__ 31753 00 IRR NK S

> DONALD MIKESELL

>

> 1104 W 32ND AVE

> HUTCHINSON KS 67502

>-----

A__ 32683 00 IRR NK S

> DONALD MIKESELL

>

> 1104 W 32ND AVE

> HUTCHINSON KS 67502

>-----

A__ 38315 00 IRR NK S

> NEW GENERATION FARMS

> DOYLE ROBISON

> 1390 70 RD

> SCANDIA KS 66966

>-----

A__ 39260 00 IRR NK S

> ROBISON FARMS INC

>

> PO BOX 183 1390 70 RD

> SCANDIA KS 66966

>-----

A__ 40548 00 IRR NK S

> LONNY D & KIMBERLY K SWANSON

25-2-5W

Print Page

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Parcel Search Results (Click on the Parcel ID Number for Detailed Results)

Owner Information	Property Address	Property Description	Apr Amount	Prop Class
<p>079-067-25-0-00-00-001.00-0 Quick Ref ID = 1600 Tax Year = 2018 ROSENE, BRIAN</p>	<p>00000 LINCOLN RD, WHITE, KS 66939 ACRES=245.2 Neighborhood=600.R</p>	<p>S25, T02, R05W, ACRES 245.2, NE 1/4, S 1/2 LT 1, LT 2 EX RO W (RIVER LOTS A) IRRIG 6.76 AC</p>	\$112,180	Agricultural Use
<p>079-067-25-0-00-00-001.00-0 Quick Ref ID = 1600 Tax Year = 2018 ROSENE, VERA</p>	<p>00000 LINCOLN RD, WHITE, KS 66939 ACRES=245.2 Neighborhood=600.R</p>	<p>S25, T02, R05W, ACRES 245.2, NE 1/4, S 1/2 LT 1, LT 2 EX RO W (RIVER LOTS A) IRRIG 6.76 AC</p>	\$112,180	Agricultural Use
<p>079-067-25-0-00-00-002.00-0 Quick Ref ID = 1601 Tax Year = 2018 LARSON, JEANNE TRUST NO 1</p>	<p>00000 LINCOLN RD, WHITE, KS 66939 ACRES=37.9 Neighborhood=600.R</p>	<p>S25, T02, R05W, ACRES 37.9, N 1/2 LT 1 EX ROW (RIVER LOTS A)</p>	\$12,160	Agricultural Use
<p>079-067-25-0-00-00-002.00-0 Quick Ref ID = 1601 Tax Year = 2018 LARSON, THAYNE A TRUST NO 1</p>	<p>00000 LINCOLN RD, WHITE, KS 66939 ACRES=37.9 Neighborhood=600.R</p>	<p>S25, T02, R05W, ACRES 37.9, N 1/2 LT 1 EX ROW (RIVER LOTS A)</p>	\$12,160	Agricultural Use
<p>079-067-25-0-00-00-003.00-0 Quick Ref ID = 1602 Tax Year = 2018 ERKENBRACK, DREW KENNETH</p>	<p>00000 60 RD, WHITE, KS 66939 ACRES=111.7 Neighborhood=600.R</p>	<p>S25, T02, R05W, ACRES 111.7, LIS 3.4 G.W.O.F. REPUBLICAN RIVE R (RIVER LOTS A)</p>	\$27,600	Agricultural Use
<p>079-067-25-0-00-00-004.00-0 Quick Ref ID = 1603 Tax Year = 2018 STRNAD, SETH LP</p>	<p>00000 70 RD, WHITE, KS 66939 ACRES=79.9 Neighborhood=600.R</p>	<p>S25, T02, R05W, ACRES 79.9, S 990' SE 1/4, S 990' LT 5 EX ROW (RIVER LOTS A) IRRIG 3.2 AC(C)</p>	\$43,150	Agricultural Use
<p>079-067-25-0-00-00-005.00-0 Quick Ref ID = 1604 Tax Year = 2018 ROSENE, BRIAN</p>	<p>00000 70 RD, WHITE, KS 66939 ACRES=158.2 Neighborhood=600.R</p>	<p>S25, T02, R05W, ACRES 158.2, N 1670' SE 1/4 & N 330' LT 5 A LSO LT 4 EX ROW (RIVER LOTS A) IRR CANAL 1.9 AC.</p>	\$75,710	Agricultural Use

26-2-5W

Print Page

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Parcel Search Results (Click on the Parcel ID Number for Detailed Results)

Owner Information	Property Address	Property Description	Apr Amount	Prop Class
<p>079-067-26-0-00-00-001.00-0 Quick Ref ID = 1605 Tax Year = 2018 ERKENBRACK DENNIS L FAMILY TRUST</p>	<p>575 LINCOLN RD, COURTLAND, KS 66939 ACRES=252.5 Neighborhood=600.R</p>	<p>S26 T02, R05W, ACRES 252.5, E 2990' OF S 1325' & E 1840' O F N 3940' EX ROW AKA LTS 23 TO 37 SEC 26</p>	<p>\$117,880 A \$44,250 F</p>	<p>Farm Homesite</p>
<p>079-067-26-0-00-00-002.00-0 Quick Ref ID = 1606 Tax Year = 2018 STANDLEY, DARLENE</p>	<p>1475 50 RD, COURTLAND, KS 66939 ACRES=381.4 Neighborhood=600.R</p>	<p>S26, T02, R05W, ACRES 381.4, N 3940' OF W 3475' & S 1320' O F W 2280' EX ROW AKA LTS 1-22 SEC 26 IRRIG 11.86 AC</p>	<p>\$234,530 A \$52,500 F</p>	<p>Farm Homesite</p>

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Parcel Search powered by



THOMSON REUTERS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
TOPEKA FIELD OFFICE
6531 SE FORBES AVE., SUITE B
TOPEKA, KS 66619

STATE OF KANSAS



PHONE: (785) 296-5733
FAX: (785) 296-8298
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE MCCLASKEY, SECRETARY OF AGRICULTURE

July 12, 2018

BRIAN ROSENE
3514 CLINTON PKWY STE A #154
LAWRENCE KS 66047-2145

Re: Pending Application, File No. 50,022

Dear Sir or Madam:

This is to advise you that Dennis Erkenbrack has filed the application referred to above for a permit to appropriate 175 acre-feet of surface water per calendar year to be stored in an existing reservoir, and re-divert 175 acre-feet of the stored water for irrigation use. The proposed point of diversion (where the dam crosses the centerline of the stream) is located in the Northwest Quarter of the Southeast Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 26, Township 2 South, Range 5 West, Republic County, Kansas.

Records in this office indicate that you own land along the stream in this vicinity and you are being notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

You can find the application and site map posted by the file number referenced above at:
<http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices>

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

Sincerely,

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Dennis Erkenbrack

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
TOPEKA FIELD OFFICE
6531 SE FORBES AVE., SUITE B
TOPEKA, KS 66619



PHONE: (785) 296-5733
FAX: (785) 296-8298
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

July 12, 2018

DARLYNE STANDLEY
1475 HEFTY ROAD
COURTLAND KS 66966

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JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

July 12, 2018

JAMES FAULKNER DART TRUST
LISA LALA
11 Z STREET
LAKE LOTAWANA MO 64086

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Environmental Scientist
Topeka Field Office

pc: Dennis Erkenbrack

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DIVISION OF WATER RESOURCES
TOPEKA FIELD OFFICE
6531 SE FORBES AVE., SUITE B
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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

July 12, 2018

CHARLES ROBISON
935 TIMBER ROAD
SCANDIA KS 66966

Re: Pending Application, File No. 50,022

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Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Dennis Erkenbrack

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

April 2, 2018

DENNIS ERKENBRACK
551 PAWNEE TRAIL
REPUBLIC KS 66964

RE: Application
File No. 50022

Dear Sir or Madam:

Your application for permit to appropriate water in 26-2S-5W in Republic 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.

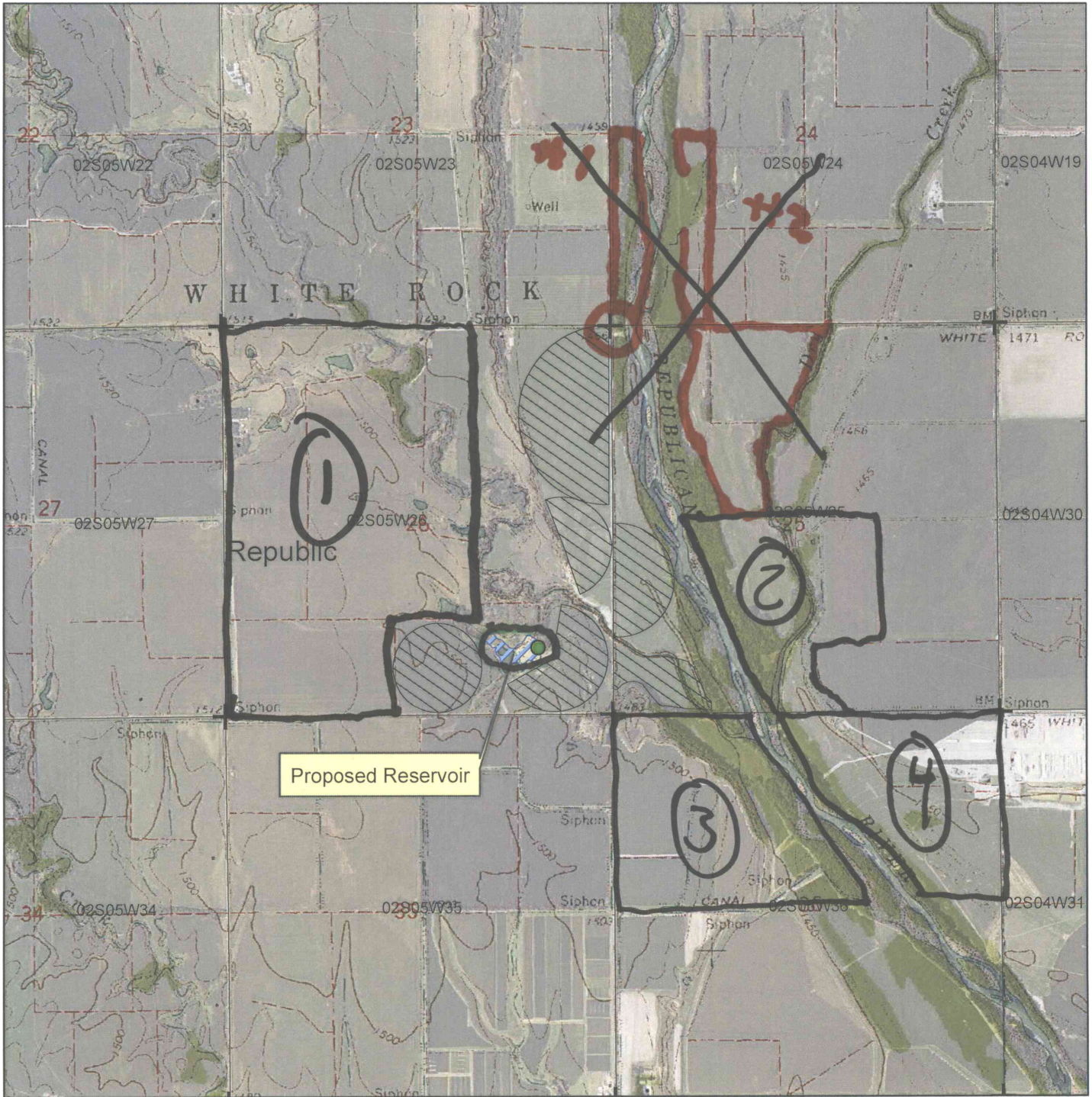
Sincerely,

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: STOCKTON Field Office
GMD

SCANNED

Erckenbrack New Application - Surface Water 26-2-5w
Assisted by DWR, Stockton Field Office



Section Corners



Proposed Point of Diversion



Proposed Place of Use

Water Resources
Received

MAR 26 2018



1:24,000

All known landowners adjacent to the stream within 1/2 mile upstream and downstream of the subject property lines are shown on this map.

Signature

Date

SCANNED