

Kansas Department of Agriculture  
 Division of Water Resources  
**CHANGE: P/U WORKSHEET**

1. File Number: <b>48009</b>	2. Status Change Date: <b>6/28/2018</b>	3. Change Num: <b>C2</b>	4. Field Office: <b>01</b>	5. GMD:
6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: <b>21-DEC-2017</b>
8a. Applicant(s) New to system <input type="checkbox"/>  <b>ROBERT HAVERKAMP 2964 L4 RD BERN KS 66408</b>		Person ID <u><b>62262</b></u> Add Seq# <u><b>1</b></u>		8c. Landowner(s) New to system <input type="checkbox"/>  Person ID _____ Add Seq# _____
8b. Landowner(s) New to system <input type="checkbox"/>  <b>ROBERT HAVERKAMP 2964 L4 RD BERN KS 66408</b>		Person ID <u><b>62262</b></u> Add Seq# <u><b>1</b></u>		8d. WUC New to system <input type="checkbox"/>  <b>ROBERT HAVERKAMP 2964 L4 RD BERN KS 66408 NO CHANGE</b>
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u><b>12/31/19</b></u> <input type="checkbox"/> N & P Date to Comply: _____				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan    Date Required: _____    Date Approved: _____    Date to Comply: _____				
10. Use Made of Water    From: _____    To: _____				
Date Prepared: <b>06/20/18</b> By: <b>RAK</b> Date Entered: <b>7/3/2018</b> By: <b>LLM</b>				

File No. **48009**      11. County: **NM**      Basin: **SF BIG NEMAHA RIVER**      Stream: **SOUTH FORK BIG NEMAHA RIVER**      Formation Code:      Special Use:

12. Points of Diversion  
 CHK  
 MOD  
 DEL PDIV  
 ENT

Rate and Quantity

Authorized      Additional

Qualifier      S   T   R   ID   'N   'W   Comment (AKA Line)      Rate      Quantity      Rate      Quantity      Overlap PD Files  
 gpm/cfs      af/mgy      gpm/cfs      af/mgy

**NO CHANGES**

13. Storage: Rate \_\_\_\_\_ NF      Quantity \_\_\_\_\_ ac/ft      Additional Rate \_\_\_\_\_ NF      Additional Quantity \_\_\_\_\_ ac/ft

14. Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_  
 Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_

15. 5YR Allocation:      Allocation Type \_\_\_\_\_      Start Year \_\_\_\_\_      5 YR Amount \_\_\_\_\_      Amount Unit \_\_\_\_\_      Base Acres \_\_\_\_\_      Comment \_\_\_\_\_

16. Place of Use CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	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				
<b>MOD 62617</b>	<b>1</b>	<b>1</b>	<b>12E</b>	<b>1</b>					<b>5.50</b>	<b>35.00</b>	<b>40.0</b>	<b>17.0</b>	<b>35.0</b>	<b>30.00</b>	<b>38.00</b>	<b>34.00</b>					<b>234.50</b>	<b>8B</b>	<b>NO</b>	<b>48306 &amp; 49962</b>	
<b>MOD 62618</b>	<b>2</b>	<b>1</b>	<b>12E</b>	<b>1</b>	<b>20.00</b>			<b>23.00</b>									<b>12.00</b>			<b>10.00</b>	<b>65.00</b>	<b>8B</b>	<b>NO</b>	<b>48306 &amp; 49962</b>	
<b>MOD 64358</b>	<b>12</b>	<b>1</b>	<b>12E</b>	<b>1</b>	<b>34.00</b>	<b>29.00</b>	<b>19.00</b>	<b>33.50</b>	<b>40.00</b>	<b>26.00</b>	<b>10.0</b>	<b>35.00</b>									<b>226.50</b>	<b>8B</b>	<b>NO</b>	<b>48306 &amp; 49962</b>	

Base Acres:      Year:      Minimum Reasonable Quantity:

Comments:

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**

**M E M O R A N D U M**

**TO:** Files

**DATE:** June 21, 2018

**FROM:** Richelle A. Krueger

**RE:** Appropriation of Water  
File Nos. 48,009 and 48,306

Robert G. and Mary A. Haverkamp filed applications for approval to change the authorized place of use for File Nos. 48,009 and 48,306 both authorized surface water. The referenced change applications were filed in conjunction with Application, File No. 49,962 being processed by Doug Schemm, Environmental Scientist of the Topeka Field Office.

The above referenced files do not appear abandoned as per K.S.A. 82a-718. The perfection period for File Nos. 48,009 and 48,306 expires on December 31, 2023.

File Nos. 48,009 and 48,306 have no overlaps in the authorized points of diversion and are limited to a total of 363 acre-feet of surface water for irrigation of the same 330 acres located in Sections 1, 2 and 12, Township 1 South, Range 12 East, Nemaha County. The referenced change applications propose to create a complete overlap in the place of use with Application, File No. 49,962, adding new acreage in Sections 2 and 12 for a total of 526 acres to be irrigated.

The 97 acre-feet of direct use requested by File No. 49,962 will be sufficient to cover any potential increase in consumptive use and combined with File Nos. 48,009 and 48,306 will provide 460 acre-feet total for 526 acres or 0.87 acre-feet per acre, which appears reasonable since 50% NIR in Nemaha County with 85% efficiency is 0.76 acre-feet per acre.

Doug sent notifications on February 21, 2018 to nearby upstream and downstream landowners one-half (½) mile upstream and downstream of the property boundaries, informing them of the new application and the referenced change applications. No responses were received.

The same local source of supply will not change.

Katherine Tietsort, Water Commissioner of the Topeka Field Office, recommended approval of the applications in a June 19, 2018 e-mail.

Water flow meters are required. Check valves are required if any chemical or foreign substance is injected into the water through the diversion works.

Based on the above discussion, that the changes are reasonable, that impairment to existing water rights is unlikely, that no change in the local source of supply will occur, and if Application, File No. 49,962 can be approved, it has been recommended that the change applications be approved.



Richelle A. Krueger  
Environmental Scientist

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

ROBERT HAVERKAMP  
2964 L4 RD  
BERN KS 66408

July 5, 2018

FILE COPY

RE: Appropriation of Water, File Nos. 48,009 and 48,306

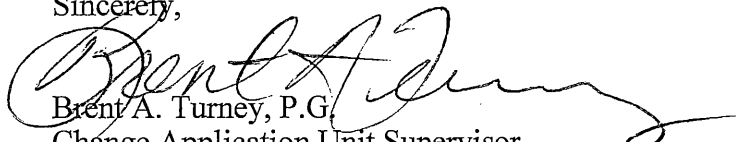
Dear Mr. Haverkamp:

Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals is that acceptable water flow meters must be installed on the diversion works authorized under the referenced file numbers. Please return the required notification of completion of the diversion works and/or installation of the required meters as soon as these actions are completed.

If you have any questions, please contact this office. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

  
Brent A. Turney, P.G.  
Change Application Unit Supervisor  
Water Appropriation Program

BAT:rak

pc: Topeka Field Office

**KANSAS DEPARTMENT OF AGRICULTURE**  
 Jackie McClaskey, Secretary of Agriculture

**DIVISION OF WATER RESOURCES**  
 David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION  
 FOR  
 CHANGE IN PLACE OF USE  
 APPROPRIATION OF WATER  
 FILE NO. 48,009**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Robert G. and Mary A. Haverkamp, 2964 L4 Road, Bern, Kansas, 66408, received in this office on December 21, 2017, for approval of a change in the location of the place of use under the Approval of Application, File No. 48,009, for permit to appropriate water for beneficial use, as modified and amended by the Order of the Chief Engineer dated March 18, 2013, approving the application to change the place of use, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the place of use shall be:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1	1S	12E					5.50	35.00	40.00	17.00	35.00	30.00	38.00	34.00					234.50
2	1S	12E	20.00			23.00									12.00			10.00	65.00
12	1S	12E	34.00	29.00	19.00	33.50	40.00	26.00	10.00	35.00									226.50

a total of 526.00 acres in Township 1 South, Range 12 East, Nemaha County, Kansas,

located substantially as shown on the map accompanying the application to change the place of use.

All 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.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Approval of Application, File No. 48,009, for permit to appropriate water for beneficial use, is as stated and set forth in the approval dated July 27, 2012, as modified and amended by the aforementioned order.

**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 the Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, or by 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 the Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, or by 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.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

Ordered this 28<sup>th</sup> day of June, 2018, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau  
 Lane P. Letourneau, P.G.  
 Program Manager  
 Water Appropriation Program  
 Division of Water Resources  
 Kansas Department of Agriculture

State of Kansas        )  
                                   ) SS  
 County of Riley        )

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of June, 2018, by Lane P. Letourneau, P.G., Program Manager, Water Appropriation Program, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson  
 Notary Public

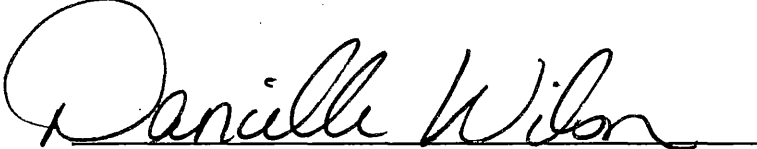
**CERTIFICATE OF SERVICE**

On this <sup>5<sup>th</sup></sup> day of *July*, 2018, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 48,009, dated *June 28<sup>th</sup>, 2018* was mailed postage prepaid, first class, US mail to the following:

ROBERT HAVERKAMP  
2964 L4 RD  
BERN KS 66408

With photocopies to:

Topeka Field Office

  
Division of Water Resources

Submit To: CHIEF ENGINEER  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, Kansas 66502  
http://agriculture.ks.gov/dwr

**APPLICATION FOR APPROVAL TO  
CHANGE THE PLACE OF USE, THE  
POINT OF DIVERSION OR THE USE  
MADE OF THE WATER UNDER AN  
EXISTING WATER RIGHT**



State of Kansas

**Filing Fee Must Accompany the Application**  
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use  
 Point of Diversion  
 Use Made of Water

(Check one or more)

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DEC 21 2017  
11:54

KS DEPT OF AGRICULTURE

File No. 48,009

2. Name of applicant: ROBERT HAVERKAMP

Address: 2964 L4 RD

City, State and Zip: BERN, KS 66408

Phone Number: (785) 294-1503 E-mail address: robgeorge1959@yahoo.com

What is your relationship to the water right;  owner  tenant  agent  other? If other, please explain. \_\_\_\_\_

Name of water use correspondent: Same as applicant

Address: \_\_\_\_\_

City, State and Zip: \_\_\_\_\_

Phone Number: (\_\_\_\_) \_\_\_\_\_ E-mail address: \_\_\_\_\_

3. The change(s) proposed herein are desired for the following reasons (please be specific): \_\_\_\_\_

Change will allow for an expansion of the irrigated acres, and create a complete overlap with both a new application and other existing file.

The change(s) (was) (will be) completed by Spring 2018

(Date)

For Office Use Only:	
F.O. <u>1</u> GMD <u>0</u> Meets K.A.R. 5-5-1 <u>(YES)</u> NO) Use <u>FDR</u> Source <u>G</u> County <u>NIM</u> By <u>ADW</u> Date <u>12/1/17</u>	
Code <u>CPU</u> Fee \$ <u>200</u> TR # _____ Receipt Date <u>12/01/17</u> Check # <u>498</u>	

APPLICATION COMPLETE  
6/21/18  
Reviewer RAK

1b/2018 WLM



4. The presently authorized place of use is:

Owner of Land — NAME: ROBERT HAVERKAMP

ADDRESS: 2964 L4 RD, BERN, KS 66408

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1	1S	12E					5.5	35.0	40.0	17.0	35.0	28.0	7.5	3.5					171.5
2	1S	12E	20.0			23.0													43.0
12	1S	12E	34.0	29.0	19.0	33.5													115.5

List any other water rights that cover this place of use. 48,306

Owner of Land — NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

List any other water rights that cover this place of use. \_\_\_\_\_

(If there are more than two landowners, attach additional sheets as necessary.)

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5. It is proposed that the place of use be changed to:

Owner of Land — NAME: ROBERT HAVERKAMP

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ADDRESS: 2964 L4 RD, BERN, KS 66408

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1	1S	12E					5.5	35.0	40.0	17.0	35.0	30.0	38.0	34.0					234.5
2	1S	12E	20.0			23.0									12.0			10.0	65.0
12	1S	12E	34.0	29.0	19.0	33.5	40.0	26.0	10.0	35.0									226.5

List any other water rights that cover this place of use. 48,306 and new application #49962

Owner of Land — NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

List any other water rights that cover this place of use. \_\_\_\_\_

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

\* BAK/2017 6/21/16

SCANNED

6. The presently authorized point(s) of diversion (is) (are) ONE (1) DAM AND RESERVOIR  
(Provide description and number of points)
7. The proposed point(s) of diversion (is) (are) NO CHANGE  
(Provide description and number of points)

**List all presently authorized point(s) of diversion:**

8. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed     This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
 This point is:  Additional Well     Geo Center    List other water rights that will use this point \_\_\_\_\_

9. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed     This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
 This point is:  Additional Well     Geo Center    List other water rights that will use this point \_\_\_\_\_

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10. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed     This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested):**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
 This point is:  Additional Well     Geo Center    List other water rights that will use this point \_\_\_\_\_

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. \_\_\_\_\_

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

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12. The presently authorized use of water is for IRRIGATION purposes.

It is proposed that the use be changed to NO CHANGE purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

New Application filed in conjunction with change will address any increase in consumptive use.

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(Please show any calculations here.)

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14. It is requested that the maximum annual quantity of water be reduced to \_\_\_\_\_ (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to \_\_\_\_\_ gallons per minute (\_\_\_\_\_ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 ([www.usgs.gov](http://www.usgs.gov)). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

a. If a change in the location of the point(s) of diversion is proposed, show:

- 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
- 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
- 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.

b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

No change in local source of supply - South Fork Big Nemaha River Trib 4 (SF Big Nemaha).

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

N/A

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

SCANNED

Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at \_\_\_\_\_, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Robert G. Haverkamp  
(Owner)

Robert G. Haverkamp  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Please Print)

Mary A Haverkamp  
(Spouse)

Mary A Haverkamp  
(Please Print)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Spouse)

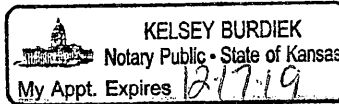
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WATER RESOURCES  
RECEIVED

DEC 21 2017

KS DEPT OF AGRICULTURE

State of Kansas }  
County of Nemaha } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 7th day of December, 2017.

Kelsey Burdick  
Notary Public

My Commission Expires 12-17-19

**FEE SCHEDULE**

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (1) Application to change a point of diversion 300 feet or less ..... \$100
- (2) Application to change a point of diversion more than 300 feet ..... \$200
- ~~(3) Application to change the place of use ..... \$200~~
- (4) Application to change the use made of the water ..... \$300

Make check payable to **Kansas Department of Agriculture.**

## Krueger, Richelle [KDA]

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**From:** Tietsort, Katie [KDA]  
**Sent:** Tuesday, June 19, 2018 3:46 PM  
**To:** Krueger, Richelle [KDA]  
**Cc:** Bunger, Brett [KDA]; Schemm, Doug [KDA]  
**Subject:** RE: 48009,48306irrpumemexactoverlapwithnewapp49962

Hi Richelle,

The TFO has no objections to approval of the referenced change applications. They appear to meet all applicable rules and regulations of the KWAA and packaged along with the new application, will be ready to move forward.

Thanks, for your work,  
Katie

Katie Tietsort

Kansas Department of Agriculture  
6531 SE Forbes Ave Ste B  
Topeka, KS 66619  
[katie.tietsort@ks.gov](mailto:katie.tietsort@ks.gov)  
Phone 785-296-5733

*Achiever~Responsibility~Input~Relator~Arranger*

---

**From:** Krueger, Richelle [KDA]  
**Sent:** Tuesday, June 12, 2018 8:37 AM  
**To:** Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>  
**Cc:** Bunger, Brett [KDA] <Brett.Bunger@ks.gov>; Schemm, Doug [KDA] <Doug.Schemm@ks.gov>  
**Subject:** 48009,48306irrpumemexactoverlapwithnewapp49962

Hi Katie,  
Attached is a draft memo for the referenced change apps, do you recommend approval?

Thanks,  
Richelle

Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619



Phone: 785-296-5733  
Fax: 785-296-8298  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Governor Jeff Colyer, M.D.

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Katherine A. Tietsort, Water Commissioner

February 21, 2018

RON KORBER  
2913 L4 RD  
BERN KS 66408

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

Dear Sir or Madam:

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

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

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

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

Sincerely,

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

pc: Robert Haverkamp

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

ROBERT HAVERKAMP      12/29/17  
2964 L4 RD  
BERN, KS 66408

**FILE COPY**

RE: File No 48009

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use      PU
- point of diversion
- use made of water

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. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. 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) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Brent A. Tourney".

Brent Tourney, L.G.  
Change Applications Unit Supervisor  
Water Appropriation Program

BAT: DLW  
pc: TOPEKA Field Office    GMD

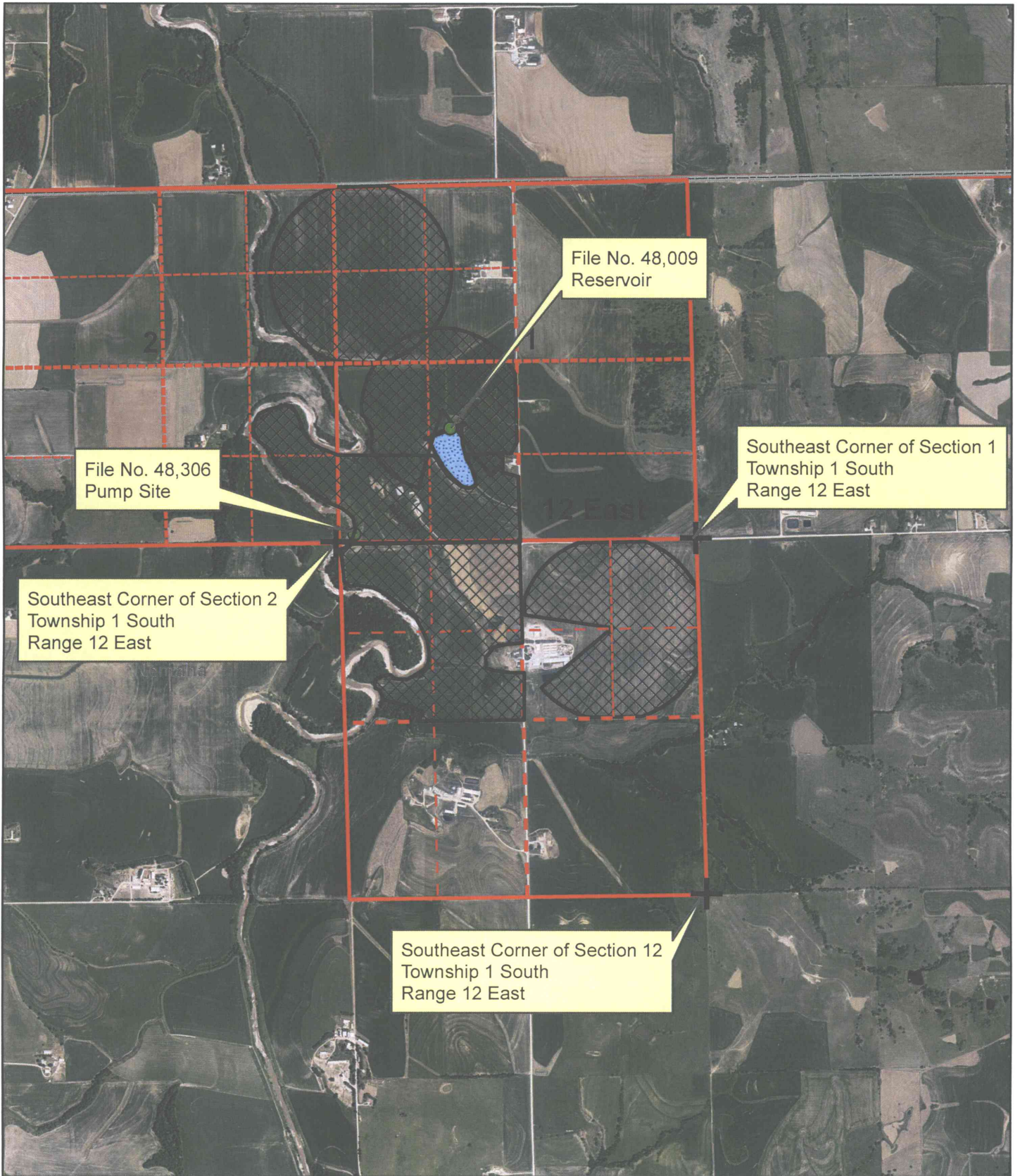
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FILE NOS. 48,009 AND 48,306  
AUTHORIZED PLACE OF USE

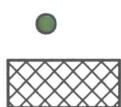




ROBERT HAVERKAMP - FILE NOS. 48,009 AND 48,306  
PROPOSED PLACE OF USE MAP



1:24,000



Point of Diversion

Proposed Place of Use

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

