

# NOTICE

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

THE STATE OF KANSAS



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

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

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JAN 05 2018

12:00  
KS DEPT OF AGRICULTURE

File Number 49962

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

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DEC 28 2017  
11:56  
KS DEPT OF AGRICULTURE

**APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE**

Filing Fee Must Accompany the Application  
(Please refer to Fee Schedule attached to this application form.)

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,  
1320 Research Park Drive, Manhattan, KS 66502:

1. Name of Applicant (Please Print): ROBERT HAVERKAMP  
Address: 2964 L4 RD  
City: BERN State: KS Zip Code 66408  
Telephone Number: (785) 294-1503 robgeorge1959@yahoo.com

2. The source of water is:  surface water in Trib 5 # 3929 Tributary to South Fork Big Nemaha (stream)  
OR  groundwater in South Fork Big Nemaha River BASIN (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. **Redivert 97 acre-feet @ 1,200 gallons per minute**

3. The maximum quantity of water desired is 97 (Storage) 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.	<u>1</u>	GMD	<input checked="" type="checkbox"/>	Meets K.A.R. 5-3-1	<u>(YES)</u>	Use	<u>IRR</u>	Source	<u>G/S</u>	County	<u>NM</u>	By	<u>ADW</u>	Date	<u>1/5/18</u>
Code		REG		Fee \$	<u>20</u>	TR #		Receipt Date	<u>1/5/18</u>	Check #	<u>0498</u>				

1/12/2018 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 NW quarter of Section 12, more particularly described as being near a point 3,367 feet North and 3,403 feet West of the Southeast corner of said section, in Township 1 South, Range 12 EAST, NEMAHA County, Kansas.
- (B) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ 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)

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 December 28, 2017 Robert H. Hays  
Applicant's Signature

7. The proposed project for diversion of water will consist of ONE DAM AND RESERVOIR  
(number of wells, pumps or dams, etc.)  
and (was)(will be) completed (by) SPRING 2018  
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be SPRING 2018  
(Mo/Day/Year)

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NEW STREAM WORKSHEET

ES Am

Date: 1/0/17

File No. 49962

Basin Name: SF Big Nemaha Basin No. 2

Stream Name: SF Big Nemaha Trib 5

Stream location (confluence with parent stream):

Section 12, Township 1 South, Range 12 (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

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Stream No. 3929 (computer assigned - entered by data entry staff)

Date Entered 1/12/2018 By UCM

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 \_\_\_\_\_

To be determined by Structures review \_\_\_\_\_

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.

Changes on File Nos. 48,009 and 48,306 will create a complete overlap in Place of Use. \_\_\_\_\_

Requested Quantity is maximum allowed per basin runoff calculation. \_\_\_\_\_

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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):  
APPLICANT  
(name, address and telephone number)  
\_\_\_\_\_  
(name, address and telephone number)

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

Dated at \_\_\_\_\_, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.  
(month) (year)

Robert Harsh  
(Applicant Signature)

513-74-8762  
APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

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

and/or  
APPLICANT(S) TAXPAYER I.D. NO.(S)

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

Assisted by DWS TOPEKA FO  
(office/title)

Date: 11/21/2017

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Ron Korber  
2913 LH Road  
BERN KS 66408

Vaughn Koester  
70656 629<sup>th</sup> AVENUE  
DUBOIS NE 68534

Laverne Meier  
3024 STATE HWY 63  
BERN KS 66408

Terry Tegemeier  
3081 STATE HWY 63  
BERN KS 66408

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49962

REFUND AND/OR ADJUSTMENT REQUEST

TR# of the Check Deposited: \_\_\_\_\_ Received by: \_\_\_\_\_ File/ Lic. No: 48,009 Check No: 0498

\*Applicant Name: Robert Haverkamp 48,306

\*Paid by: \_\_\_\_\_

Issue Refund to: \_\_\_\_\_

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

Telephone No.: ( ) -

Tax ID (SS# or FEIN#): \_\_\_\_\_

MANDATORY TO GET REFUND CHECK

\*This information must be entered exactly as it was entered at the time the check was receipted.

REFUND

ADJUSTMENT

Cat. for Ref. _____	Ref. Amt. \$ _____	{}	Cat. for Adj. _____	Amt. to be Adj. \$ <u>200</u>
Cat. for Ref. _____	Ref. Amt. \$ _____	{}	Cat. for Adj. _____	Amt. to be Adj. \$ _____
Cat. for Ref. _____	Ref. Amt. \$ _____	{}	Cat. for Adj. _____	Amt. to be Adj. \$ _____
Cat. for Ref. _____	Ref. Amt. \$ _____	{}	Cat. for Adj. _____	Amt. to be Adj. \$ _____
Cat. for Ref. _____	Ref. Amt. \$ _____	{}	Cat. for Adj. _____	Amt. to be Adj. \$ _____

Should be: REG Amount: \$ 200  
 Should be: \_\_\_\_\_ Amount: \$ \_\_\_\_\_  
 Should be: \_\_\_\_\_ Amount: \$ \_\_\_\_\_  
 Should be: \_\_\_\_\_ Amount: \$ \_\_\_\_\_  
 Should be: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

Comments: \_\_\_\_\_

Requested By: Alex Whitesell

Supervisor's Approval: \_\_\_\_\_

Processed By: \_\_\_\_\_

Refund TR#: \_\_\_\_\_

**FISCAL SECTION USE**

Date Ck. Rec'd: \_\_\_\_\_

Check #: \_\_\_\_\_

Amt. Rec'd: \_\_\_\_\_

Prev. Refund: \_\_\_\_\_

Amt. Retained: \_\_\_\_\_

Amt of Refund: \_\_\_\_\_

*Note: This information must be calculated by Receipting Staff at the time they are processing the refund.*



1320 Research Park Drive  
Manhattan, Kansas 66502  
Jackie McClaskey, Secretary



Phone: (785) 564-6700  
Fax: (785) 564-6777  
Email: ksag@kda.ks.gov  
www.agriculture.ks.gov  
Sam Brownback, Governor

January 11, 2018

ROBERT HAVERKAMP  
2964 L4 RD  
BERN KS 66408

RE: Application  
File No. 49962

Dear Sir or Madam:

Your application for permit to appropriate water in 12-1S-12W in Nemaha 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,

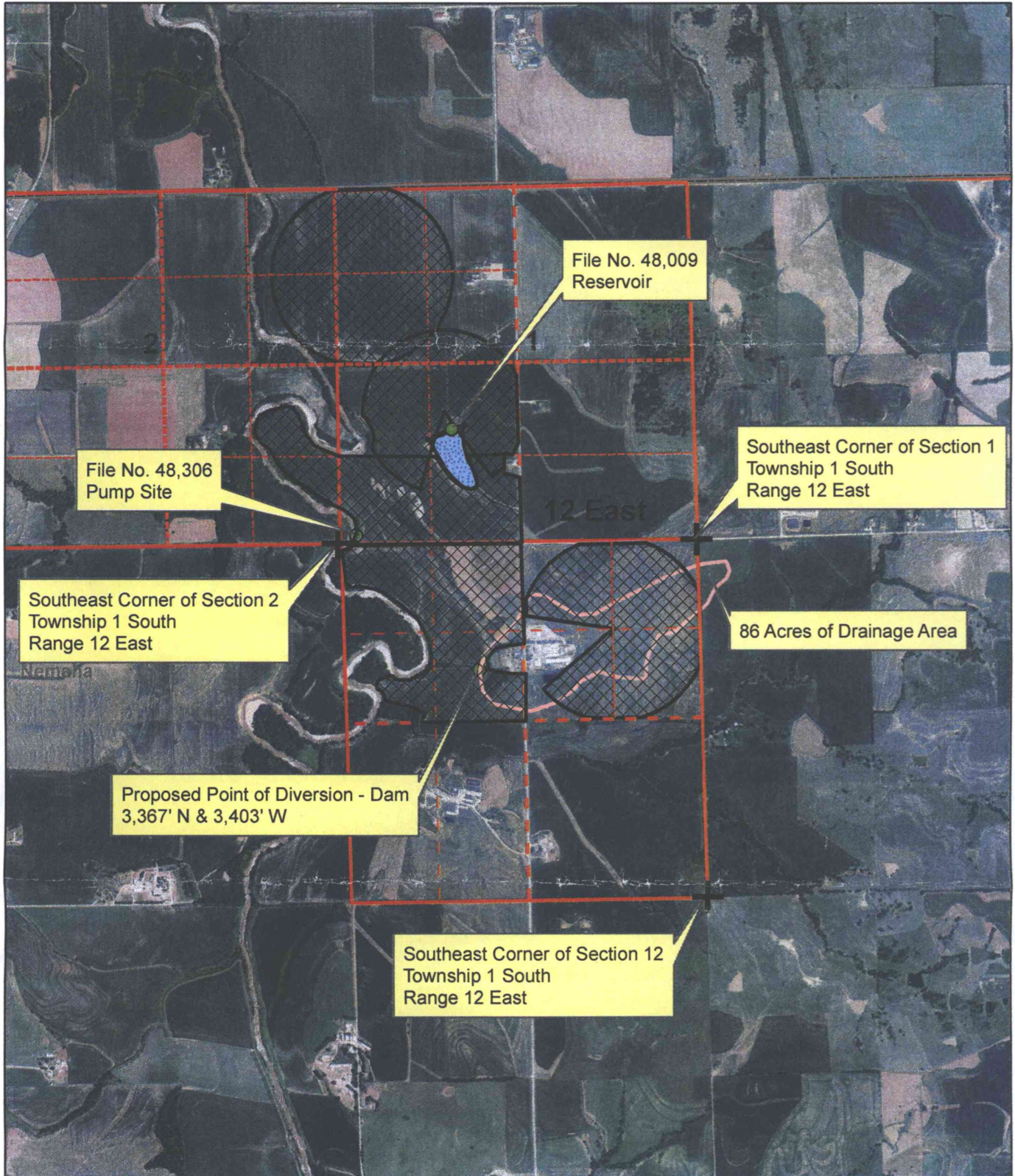
A handwritten signature in black ink that reads "Kristen A. Baum". The signature is written in a cursive, flowing style.

Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program

BAT: dlw  
pc: TOPEKA Field Office  
GMD

49942

# ROBERT HAVERKAMP - NEW APPLICATION - SITE MAP SECS. 1, 2, & 12, T1S, R12E NEMAHA COUNTY



1:24,000

- Proposed Point of Diversion
- ▨ Proposed Place of Diversion

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

UNACCEPTABLE FOR PRIORITY

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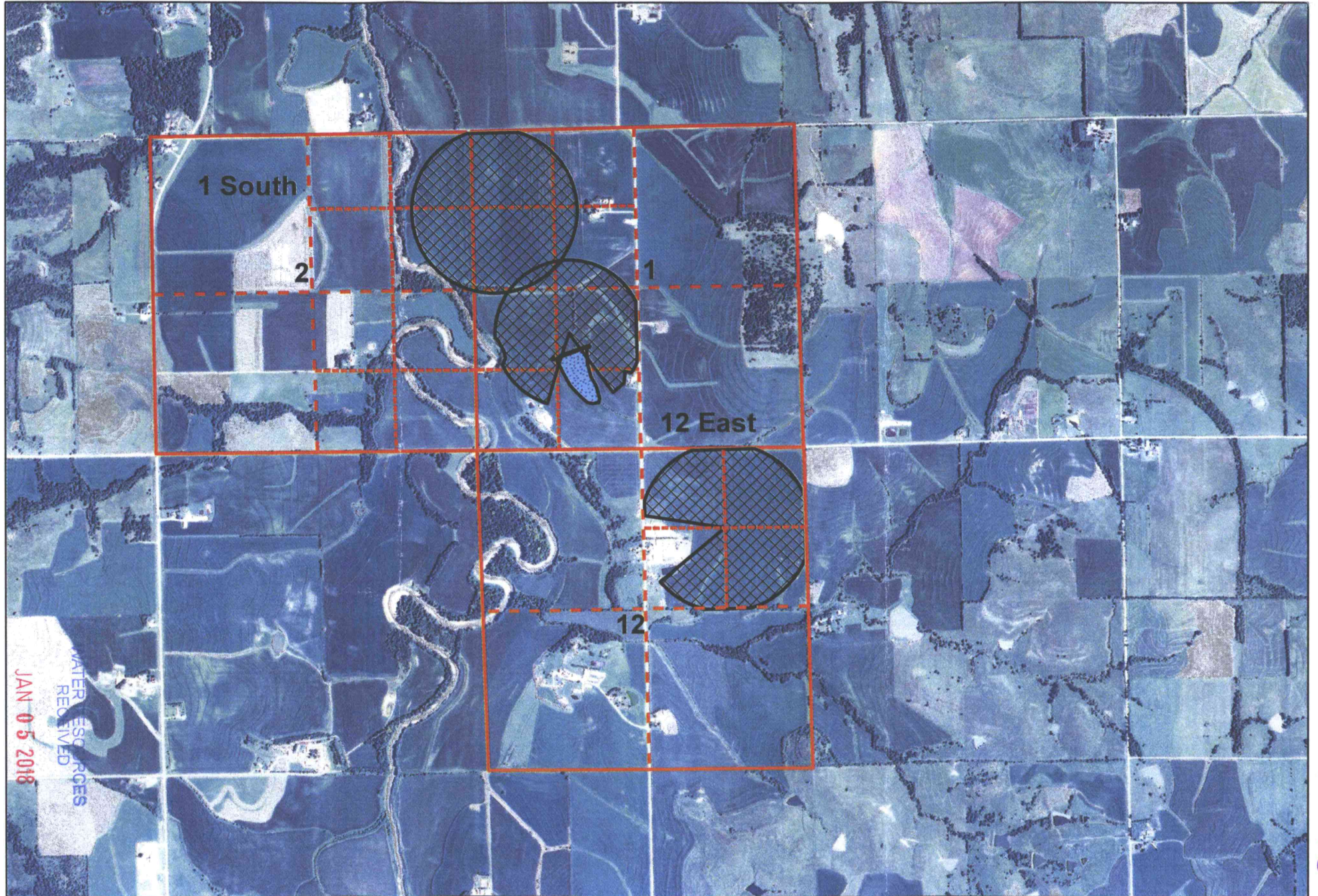
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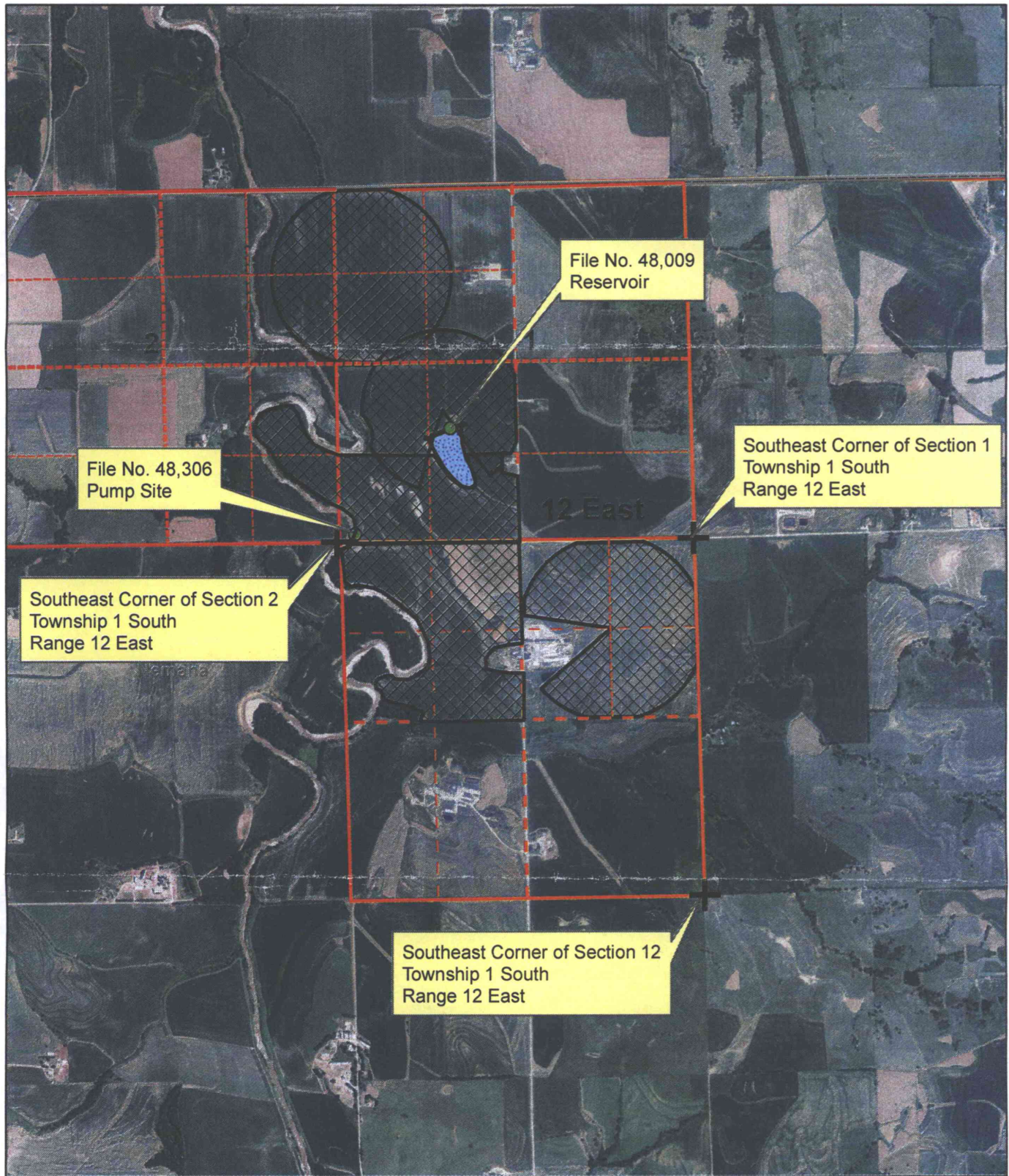
1:24,000

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



49962

# 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. RESOURCES RECEIVED

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