

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

File Number 49974
This item to be completed by the Division of Water Resources.

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

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

Water Resources Received
JAN 22 2010
12:17
KS Dept Of Agriculture

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,
109 SW 9th Street, Second Floor, Topeka, KS 66612-1283:

1. Name of Applicant (Please Print): Douglas Grimm
Address: 2991 Goldfinch Rd
City: Hiawatha State KS Zip Code 66434
Telephone Number: (785) 547-7555

2. The source of water is: [X] surface water in unnamed Tributary to Pony Creek Big Nemaha river basin (stream) # 1564
OR [] groundwater in (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.

3. The maximum quantity of water desired is 160 acre-feet OR gallons per calendar year, to be diverted at a maximum rate of 1000 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) [X] 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. 1 GMD Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source G County BR By Atw Date 1/22/18
Code 222 Fee \$ 300 TR # Receipt Date 1/22/18 Check # 3025

2/5/2018 LLM

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 SW quarter of the NW quarter of the SW quarter of Section 10, more particularly described as being near a point 1800 feet North and 4725 feet West of the Southeast corner of said section, in Township 1 South, Range 16 East/, Brown 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): Water Resources Received
Same (name, address and telephone number) JAN 22 2018
 _____ (name, address and telephone number)

KS Dept Of Agriculture

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on January, 2018. Douglas Arim
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 pond and pump
(number of wells, pumps or dams, etc.)
and (was)(will be) completed (by) Dec 1st 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 may 1 2019
(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. *Attached*

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 low hazard dam under 30ft tall and Under 125acre/ft to emergency spillway with no hazards below

- 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.

none

Water Resources
Received

JAN 22 2018

3

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

(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 Hiawatha, Kansas, this 13 day of January, 2018.
(month) (year)

Douglas A. Pinner
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Water Resources
Received

JAN 22 2018

KS Dept Of Agriculture

49974

Douglas Grimm

2991 Goldfinch Rd

Hiawatha Ks 66434

1028 acres Drainage

977elvation top dam 27.57ft

974.5 elv Emergency Spillway 119 ac/ft

971.5 elv Primary Spillway 72.76 ac/ft

½ mile up stream

T & M CATTLE, INC.
PO BOX 247 FALLS CITY, NE 68355

DREHER, DAVID A. & CHERYL JOY
3117 HAZELNUT RD HIAWATHA, KS 66434

NOLL, JOSEPH E. & JOAN M.
3189 HORNED OWL RD HIAWATHA, KS 66434

FREDERICK BROTHERS PARTNERSHIP
65307 706 RD FALLS CITY, NE 68355

1/2mile Down stream

BIRD DOG FARM, LLC
PO BOX 209 SABETHA, KS 66534

ROLLINS, JOE ALLEN 2016 REVOCABLE TRUST
6080 PIEDMONT RD N PIEDMONT, OK 73078

Water Resources
Received

JAN 22 2018

KS Dept Of Agriculture

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 49974

Name of Applicant (Please Print): Doug Grimm

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: Doug Grimm
ADDRESS: 2991 Goldfinch Rd Hiawatha KS

| S | T | R | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL | |
|----|----------------|-----------------|-----|----|----|----|-----|----|----|----|-----|----|----|----|-----|----|----|----|-------|-----|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | | |
| 10 | 1 ^S | 16 ^E | | | | | | | | | | 40 | 40 | 40 | 40 | | | | | 160 |
| | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | |

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 | | |
| | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | |

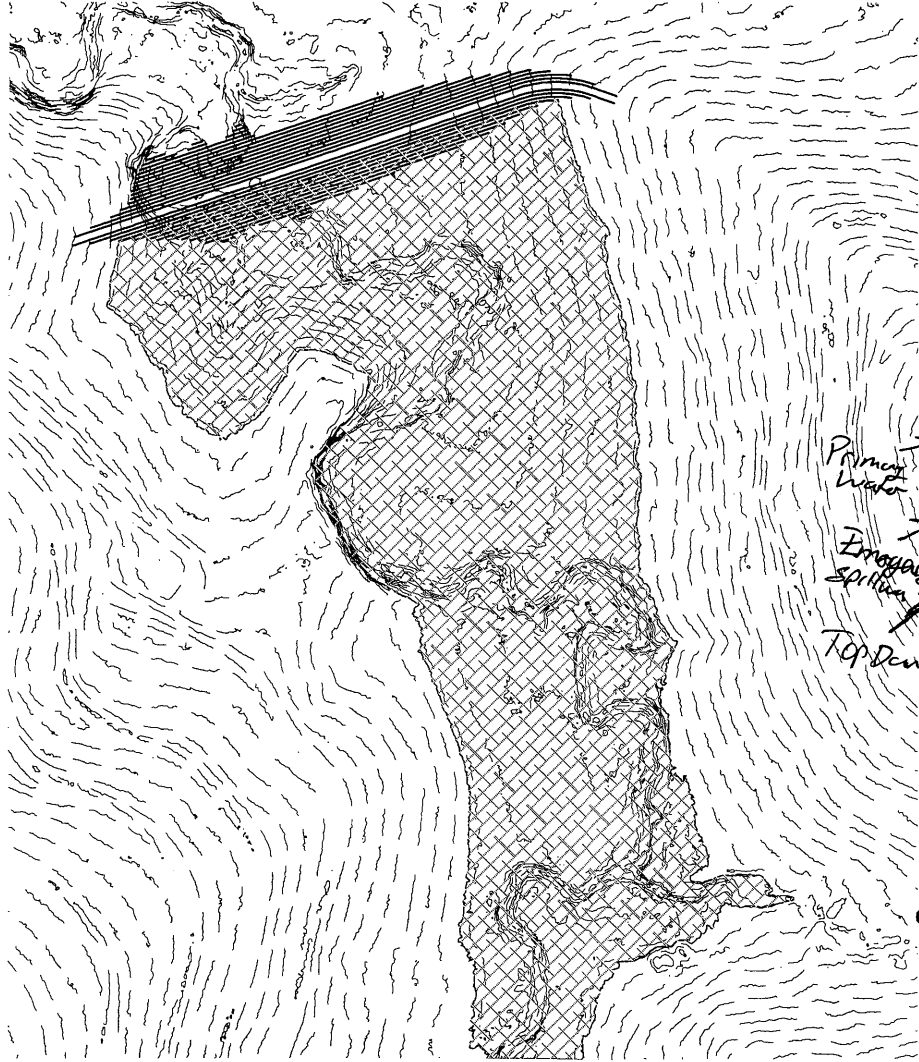
49974

Water Resources
Received

JAN 22 2019

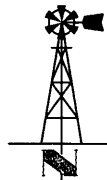
TOPOGRAPHIC SURVEY
Compute Proposed Stream Obstruction Volume in the Southwest One-Quarter of Section 10,
Township 1 South, Range 16 East of the
Sixth Principal Meridian, Brown County, Kansas

KS Dept Of Agriculture

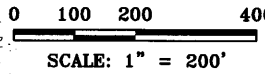


| Contour | Area | 1' Volume | Total Volume | Ac. Ft. | Embankment | Height |
|---------|--------------|--------------|---------------|----------|------------|--------|
| 953 | | | | | | |
| 954 | 536.56 | 268.28 | 268.280 | 0.0062 | | 4.57 |
| 955 | 1,621.87 | 1,079.22 | 1,347.495 | 0.0309 | | 5.57 |
| 956 | 5,940.22 | 3,781.05 | 5,128.540 | 0.1177 | | 6.57 |
| 957 | 9,991.00 | 7,965.61 | 13,094.150 | 0.3006 | | 7.57 |
| 958 | 16,781.76 | 13,386.38 | 26,480.530 | 0.6079 | | 8.57 |
| 959 | 36,860.62 | 26,821.19 | 53,301.720 | 1.2236 | | 9.57 |
| 960 | 55,379.81 | 46,120.22 | 99,421.935 | 2.2824 | | 10.57 |
| 961 | 76,284.58 | 65,832.20 | 165,254.130 | 3.7937 | | 11.57 |
| 962 | 98,698.05 | 87,491.32 | 252,745.445 | 5.8022 | | 12.57 |
| 963 | 129,282.59 | 113,990.32 | 366,735.765 | 8.4191 | | 13.57 |
| 964 | 170,241.91 | 149,762.25 | 516,498.015 | 11.8572 | | 14.57 |
| 965 | 220,160.92 | 195,201.42 | 711,699.430 | 16.3384 | | 15.57 |
| 966 | 268,121.35 | 244,141.14 | 955,840.565 | 21.9431 | | 16.57 |
| 967 | 316,139.38 | 292,130.37 | 1,247,970.930 | 28.6495 | | 17.57 |
| 968 | 360,135.47 | 338,137.43 | 1,586,108.355 | 36.4120 | | 18.57 |
| 969 | 398,801.71 | 379,468.59 | 1,965,576.945 | 45.1234 | | 19.57 |
| 970 | 461,291.67 | 430,046.69 | 2,395,623.635 | 54.9960 | | 20.57 |
| 971 | 534,929.67 | 498,110.67 | 2,893,734.305 | 66.4310 | | 21.57 |
| 971.5 | 568,157.12 | 275,771.70 | 3,169,506.003 | 72.7618 | | 22.07 |
| 972 | 606,234.37 | 570,582.02 | 3,464,316.325 | 79.5298 | | 22.57 |
| 973 | 670,782.32 | 638,508.35 | 4,102,824.670 | 94.1879 | | 23.57 |
| 974 | 758,507.17 | 714,644.75 | 4,817,469.415 | 110.5939 | 18,219 | 24.57 |
| 974.5 | 805,655.98 | 391,040.79 | 5,208,510.203 | 119.5709 | 19,414 | 25.07 |
| 975 | 854,865.85 | 806,686.51 | 5,624,155.925 | 129.1129 | 20,653 | 25.57 |
| 976 | 950,140.45 | 902,503.15 | 6,526,659.075 | 149.8315 | 23,270 | 26.57 |
| 977 | 1,048,637.53 | 999,388.99 | 7,526,048.065 | 172.7743 | 26,095 | 27.57 |
| 978 | 1,155,933.70 | 1,102,285.62 | 8,628,333.680 | 198.0793 | 29,116 | 28.57 |
| 979 | 1,270,886.61 | 1,213,410.16 | 9,841,743.835 | 225.9353 | 32,353 | 29.57 |

Primary Water →
Irrigation Spillway →
Top Dem →



General Notes for Site:
No Field verification of LIDAR elevations performed.
Front toe of stream obstruction elevation: 953.24'
Rear toe of stream obstruction elevation: 949.43'
Assumed top of structure width: 12'
Assumed front and back slope: 3:1



LAND SURVEYOR'S CERTIFICATE
THIS IS TO CERTIFY THAT THIS SURVEY
WAS DONE BY THE UNDERSIGNED, AND
THAT THE SURVEY WAS DONE ON THE
GROUND ON _____



THIS DRAWING ORIGINALLY CREATED AT
SPECIFIED SCALE. IF LINE BELOW DOES NOT
MEASURE 1 INCH, DRAWING HAS BEEN
REDUCED.
ORIGINAL DRAWING
SIZE: 1 INCH

JORGENSEN SURVEYING
73051 617 Ave
Tecumseh, NE 68450
(402) 335-2033
jorgensensurveying@gmail.com

Stream Obstruction
SW 1/4 Sec 10, T1S, R16E
Brown County, Kansas
PREPARED FOR
MWI - Kerl

| | |
|-----------|----------|
| SCALE | 1"=200' |
| FIELD ON: | |
| CHK. BY | MARCY |
| DWN. BY | BRENT |
| DATE: | 11/27/17 |
| SHEET | 1 OF 2 |
| JOB NO. | 5262.83 |



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 30, 2018

DOUGLAS GRIMM
2991 GOLDFINCH RD
HIAWATHA KS 66434

RE: Application
File No. 49974

Dear Sir or Madam:

Your application for permit to appropriate water in 10-1S-16E in Brown 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.

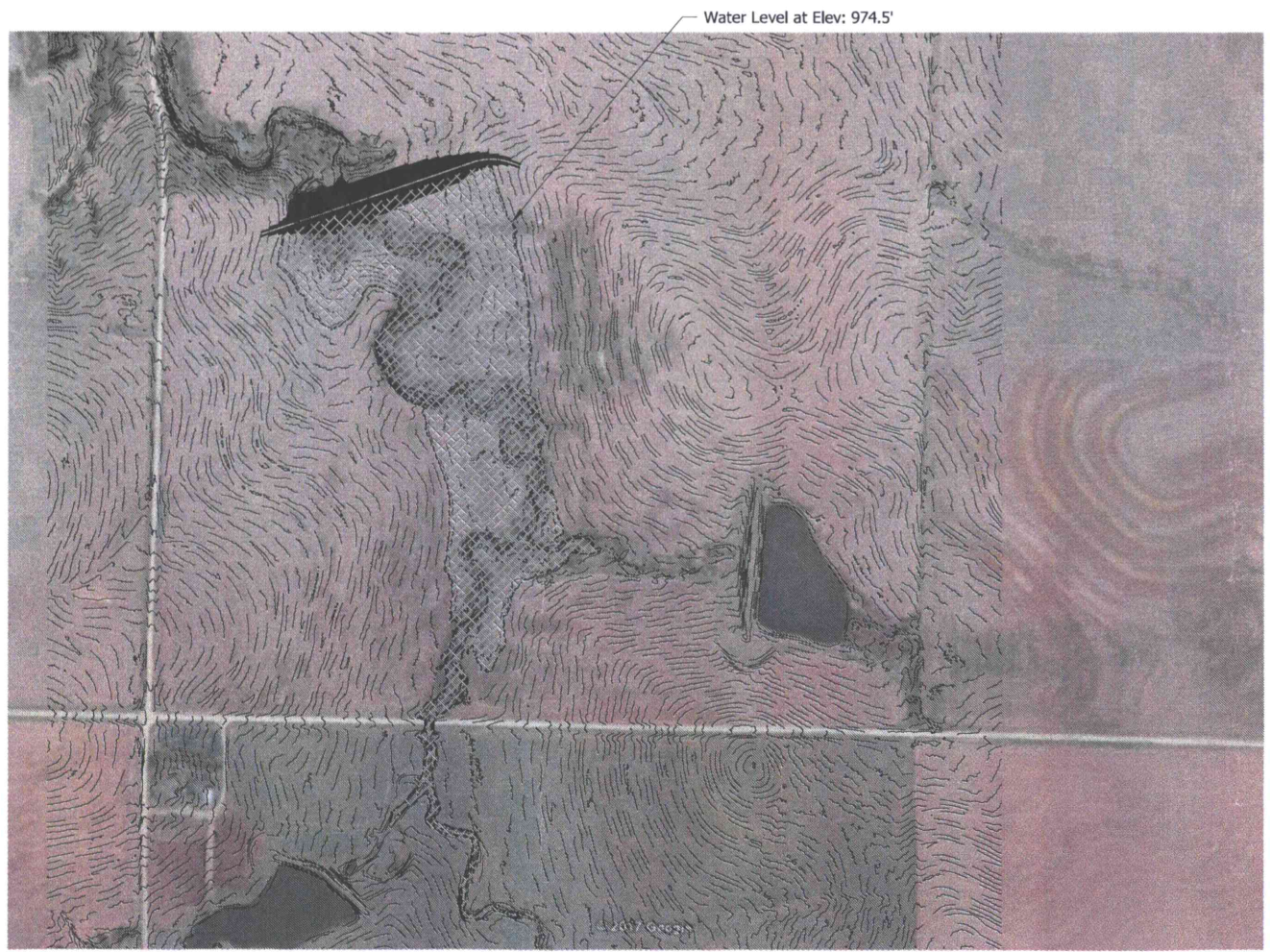
Sincerely,

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

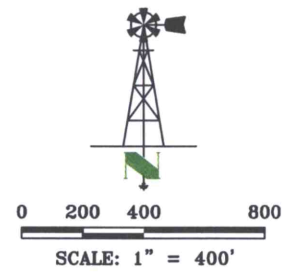
BAT: dlw
pc: TOPEKA Field Office
GMD

49974

TOPOGRAPHIC SURVEY
 Compute Proposed Stream Obstruction Volume in the Southwest One-Quarter of Section 10,
 Township 1 South, Range 16 East of the
 Sixth Principal Meridian, Brown County, Kansas



Water Resources
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 JAN 22 2018
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THIS DRAWING ORIGINALLY CREATED AT
 SPECIFIED SCALE. IF LINE BELOW DOES NOT
 MEASURE 1 INCH, DRAWING HAS BEEN
 REDUCED.
 ORIGINAL DRAWING
 SIZE: 1 INCH

**JORGENSEN
 SURVEYING**
 7305I 617 Ave
 Tecumseh, NE 68450
 (402) 335-2033
 jorgensensurveying@gmail.com

Stream Obstruction
 SW 1/4 Sec 10, T1S, R16E
 Brown County, Kansas
 PREPARED FOR
 MWI - Kerl

| | |
|-----------|----------|
| SCALE | 1"=400' |
| FIELD ON: | - |
| CHK. BY | MARCY |
| DWN. BY | BRENT |
| DATE: | 11/27/17 |
| SHEET | 2 OF 2 |
| JOB NO. | 5262.83 |



Doug Gimm

4725 west

1800ft North

Section 10 Twn 1s Range 16E

Village Resources

1991

Hazelnut Rd

© 2017 Google

Imagery Date: 4/1/2016 39°58'34.04" N 95°36'39.05" W elev 1032 ft eye alt

Google Earth

326th St

Horned Owl Rd

749974

Section 10 Twn 1s Range 16E

Doug Gamm

1472' west

180ft North

W. V. Rosecrans

Hazelnut Rd

326th St

Horned Owl Rd

© 2017 Google

Imagery Date: 4/1/2016 39°58'34.04" N 95°36'39.05" W elev 1032 ft eye alt

Google Earth

hL66h

