

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.

FEB 14 2019

12:59pm

KS DEPT OF AGRICULTURE

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES David W. Barfield, Chief Engineer

File Number 50210

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.)

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): Mac Farms INC Address: 2742 V Rd City: Sabetha State KS Zip Code 66534 Telephone Number: (785) 285-1517

2. The source of water is: [] surface water in Unamed Tributary to Rock creek (stream) OR [] groundwater in 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.

3. The maximum quantity of water desired is 640 acre-feet OR gallons per calendar year, to be diverted at a maximum rate of 1500 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 0 Meets K.A.R. 5-3-1 (YES / NO) Use 122 Source G S County NIM By DAW Date 3/14/19 Code RES Fee \$ 300 TR # Receipt Date 2/14/19 Check # 118

2/25/2019 CUM

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 NE quarter of the NE quarter of the SW quarter of Section 14, more particularly described as being near a point 2235 feet North and 3170 feet West of the Southeast corner of said section, in Township 1 South, Range 14 (East) West (circle one), 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):

Sharon E Grimm TRT 2764 V Rd Sabetha KS 66534 ~~785-284-2672~~
 (name, address and telephone number) 785-547-6629

(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 February 7th, 2019. *Megan M...*
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 Dam & Pump
 (number of wells, pumps or dams, etc.)
 and (was)(will be) completed (by) May 1st 2019
 (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 July 1st 2019
 (Mo/Day/Year)

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- 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 Will be exempt dam. Sending to structure for exemption. Under 30ft tall and under 125ac/ft to ES

- 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 known

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MA

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 Tenant / 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):

GRIMM, SHARON E TST
2764 V Rd
Sabetha, KS 66534

GRIMM, GORDON J REV TST
2764 V Rd
Sabetha, KS 66534

(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 Sabetha, Kansas, this 7th day of February, 2019
(month) (year)

[Signature]

(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by Keith Grimm MWI _____ Date: 2-6-2019
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FEE SCHEDULE

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic use, shall be (see paragraph No. 2 below if requesting storage):

ACRE-FEET	FEE
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, except for domestic use, shall be:

ACRE-FEET	FEE
0-250	\$200.00
More than 250	\$200.00 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

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IRRIGATION USE SUPPLEMENTAL SHEET

File No. 50210

Name of Applicant (Please Print): MAC Farm INC

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: Myreon & Lori and Chris & Amy Menold
 ADDRESS: 2742 V RD SABETHA, KS 66534

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
21	1	14																	40	40
22	1	14									40	40								80

Landowner of Record NAME: GRIMM, GORDON J TST GRIMM, SHARON E TST
 ADDRESS: 2764 V RD SABETHA, KS 66534

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
22	1	14					40	40	40											160
14	1	14									40	40	40	40	40	40	40	40		360

Total
640

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		

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5040

Mac Farms Permit
1275 acres Drainage
640acre on permit

½ mile up stream

UKELE, LEE F; UKELE, STEPHEN
904 MEADOWLARK LN
SABETHA, KS 66534

WENGER, PAMELA S TST
2274 216TH RD
SABETHA, KS 66534

½ Mile down stream

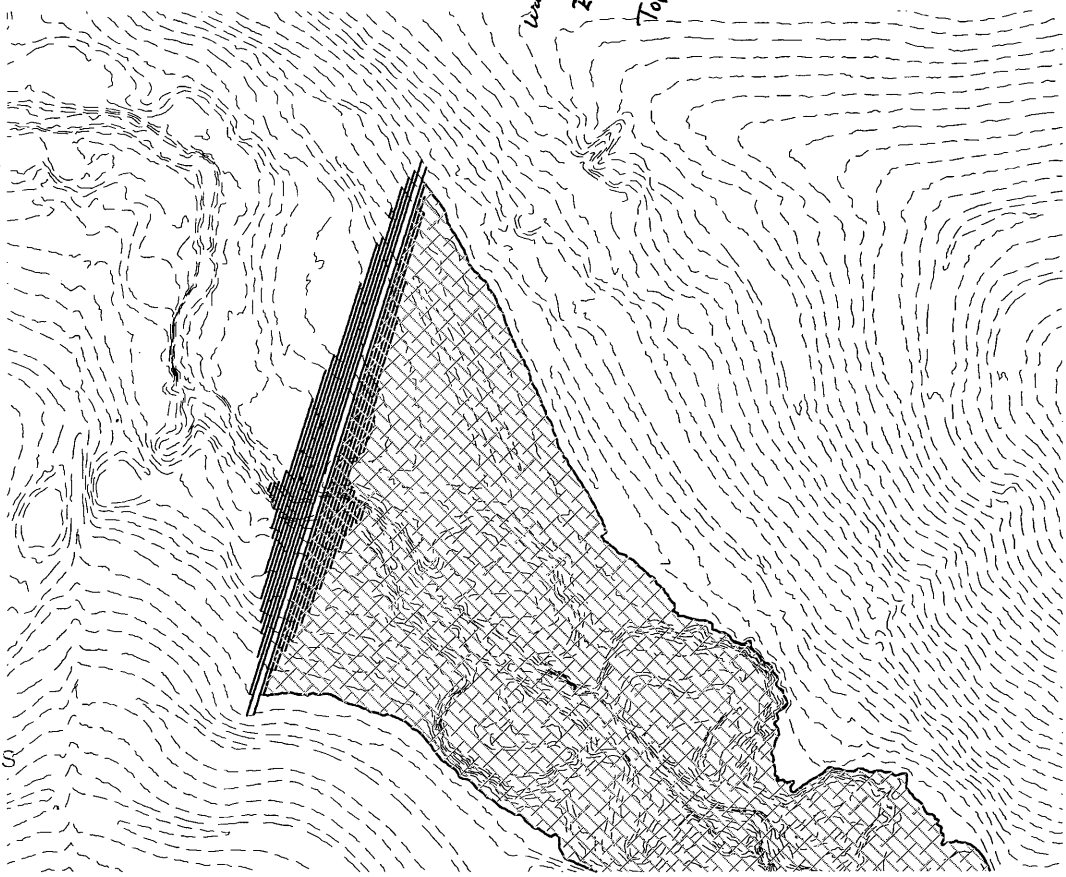
LIVENGOOD, KODY
42389 180th St
Sabetha, KS 66534

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5020

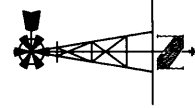
TOPOGRAPHIC SURVEY
 Compute Proposed Stream Obstruction Volume in the South One-Half of Section 14,
 Township 1 South, Range 14 East of the
 Sixth Principal Meridian, Nemaha County, Kansas

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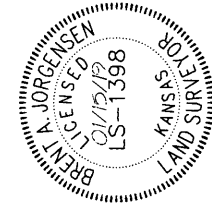


Contour	Area	1' Volume	Total Volume	Ac. Ft.	Embankment	Height
1168						
1169	401.98	200.99	200.990	0.0046		1.96
1170	1,742.63	1,072.31	1,273.295	0.0292		2.96
1171	5,213.67	3,478.15	4,751.445	0.1091		3.96
1172	7,763.36	6,488.52	11,239.960	0.2580		4.96
1173	14,159.21	10,961.29	22,201.245	0.5097		5.96
1174	24,325.70	19,242.46	41,443.700	0.9514		6.96
1175	46,509.62	35,417.66	76,861.360	1.7645		7.96
1176	62,230.43	54,370.03	131,231.385	3.0127		8.96
1177	76,384.24	69,307.34	200,538.720	4.6037		9.96
1178	109,436.76	92,910.50	293,448.220	6.7367		10.96
1179	141,675.98	125,556.37	419,005.590	9.6190		11.96
1180	169,999.80	155,837.89	574,843.480	13.1966		12.96
1181	194,263.61	182,131.71	756,975.185	17.3778		13.96
1182	222,974.33	208,618.97	965,594.155	22.1670		14.96
1183	274,586.19	248,780.26	1,214,374.415	27.8782		15.96
1184	318,296.49	296,441.34	1,510,815.755	34.6836		16.96
1185	362,266.42	340,281.46	1,851,097.210	42.4953		17.96
1186	403,497.99	382,882.21	2,233,979.415	51.2851		18.96
1187	432,768.75	418,133.37	2,652,112.785	60.8841		19.96
1188	472,987.67	452,878.21	3,104,990.995	71.2808		20.96
1189	531,762.72	502,375.20	3,607,366.190	82.8137		21.96
1190	584,904.35	558,333.54	4,165,699.725	95.6313	12.287	22.96
1191	636,840.11	610,872.23	4,776,571.955	109.6550	14.330	23.96
1192	690,927.15	663,883.63	5,440,455.585	124.8957	16.574	24.96
1193	745,663.31	718,295.23	6,158,750.815	141.3855	19.026	25.96
1194	807,790.51	776,726.91	6,935,477.725	159.2167	21.693	26.96

General Notes for Site:
 No field verification of LIDAR elevations performed.
 Front toe of stream obstruction elevation: 1168.39'
 Rear toe of stream obstruction elevation: 1167.04'
 Assumed top of structure width: 10'
 Assumed front and back slope: 3:1



0 100 200 400
 SCALE: 1" = 200'



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
		S 1/2 Sec 14, T1S, R14E Nemaha County, Kansas MWI - Sharon Grimm Trust
		SCALE: 1" = 200' FIELD NO.: CHK. BY: MARCY DWN. BY: BRENT DATE: 01/15/19 SHEET 1 OF 2 JOB NO. 5262-96

NEW STREAM WORKSHEET

ES CCP

Date: 2/22/19

File No. 50210

Basin Name: S F Big Nemaha River Basin No. 2

Stream Name: Rock Creek Trib No. 1 (SF Big Nemaha)

Stream location (confluence with parent stream):

Section 11, Township 1 South, Range 14 (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. 3956 (computer assigned - entered by data entry staff)

Date Entered 2/25/2019 By LM

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Interim Secretary

Laura Kelly, Governor

February 21, 2019

MAC FARMS, INC
2742 V RD
SABETHA, KS 66534

RE: Application, File No. **50210**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application for a permit to appropriate water for beneficial use. Your application has been assigned the file number referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation Act, the use of water as proposed prior to approval of the application is unlawful.

Additional information about the process may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any other questions, please contact our office at 785-564-6640 or your local Topeka Field Office at 785-296-5733. If you call, please reference the file number so we can help you more efficiently.

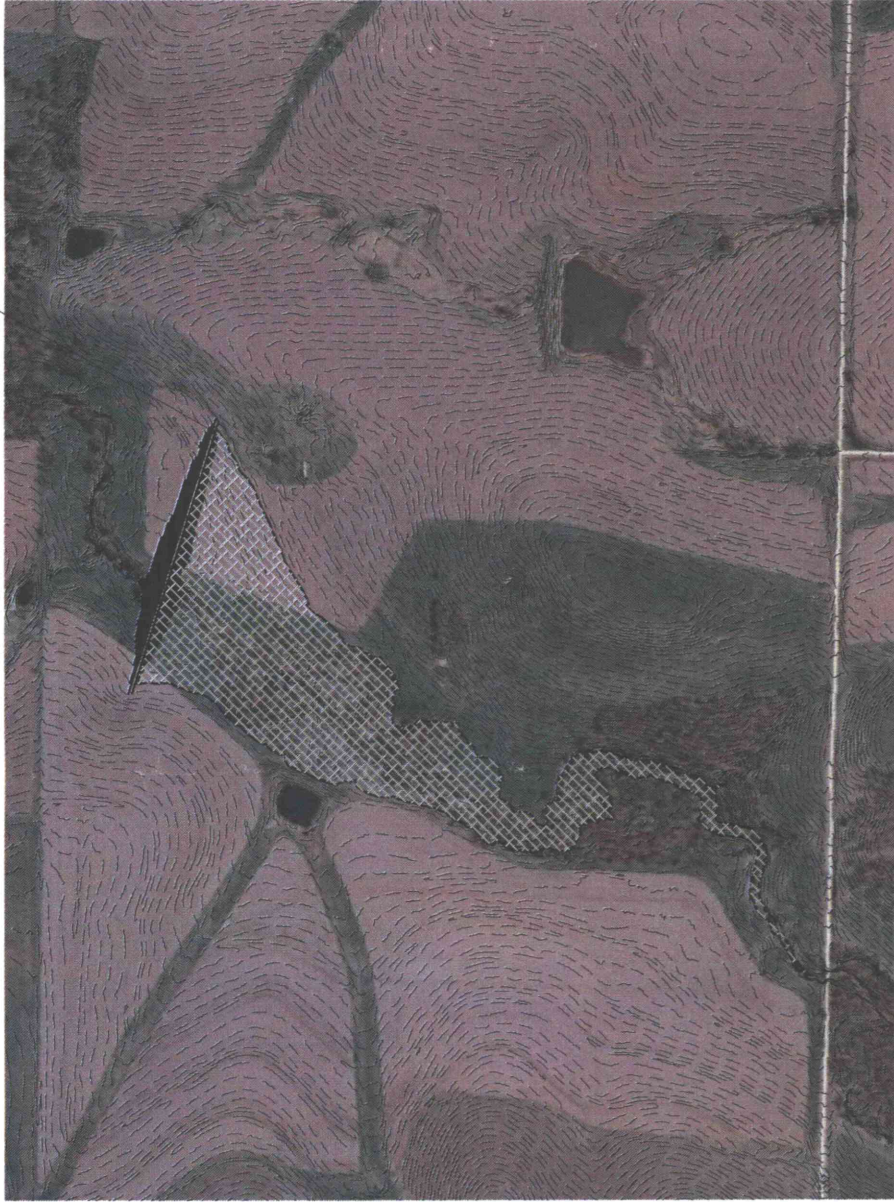
Sincerely,

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

TOPOGRAPHIC SURVEY

Compute Proposed Stream Obstruction Volume in the South One-Half of Section 14,
Township 1 South, Range 14 East of the
Sixth Principal Meridian, Nemaha County, Kansas

Water Level at Elev: 1192'



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
S 1/2 Sec 14, T1S, R14E
Nemaha County, Kansas
PREPARED FOR
MWI - Sharon Grimm Trust

SCALE	1"=400'
FIELD NO.	-
CHK. BY	MARCY
DWN. BY	BRENT
DATE	01/15/19

SHEET 2 OF 2
JOB NO.
5262.06

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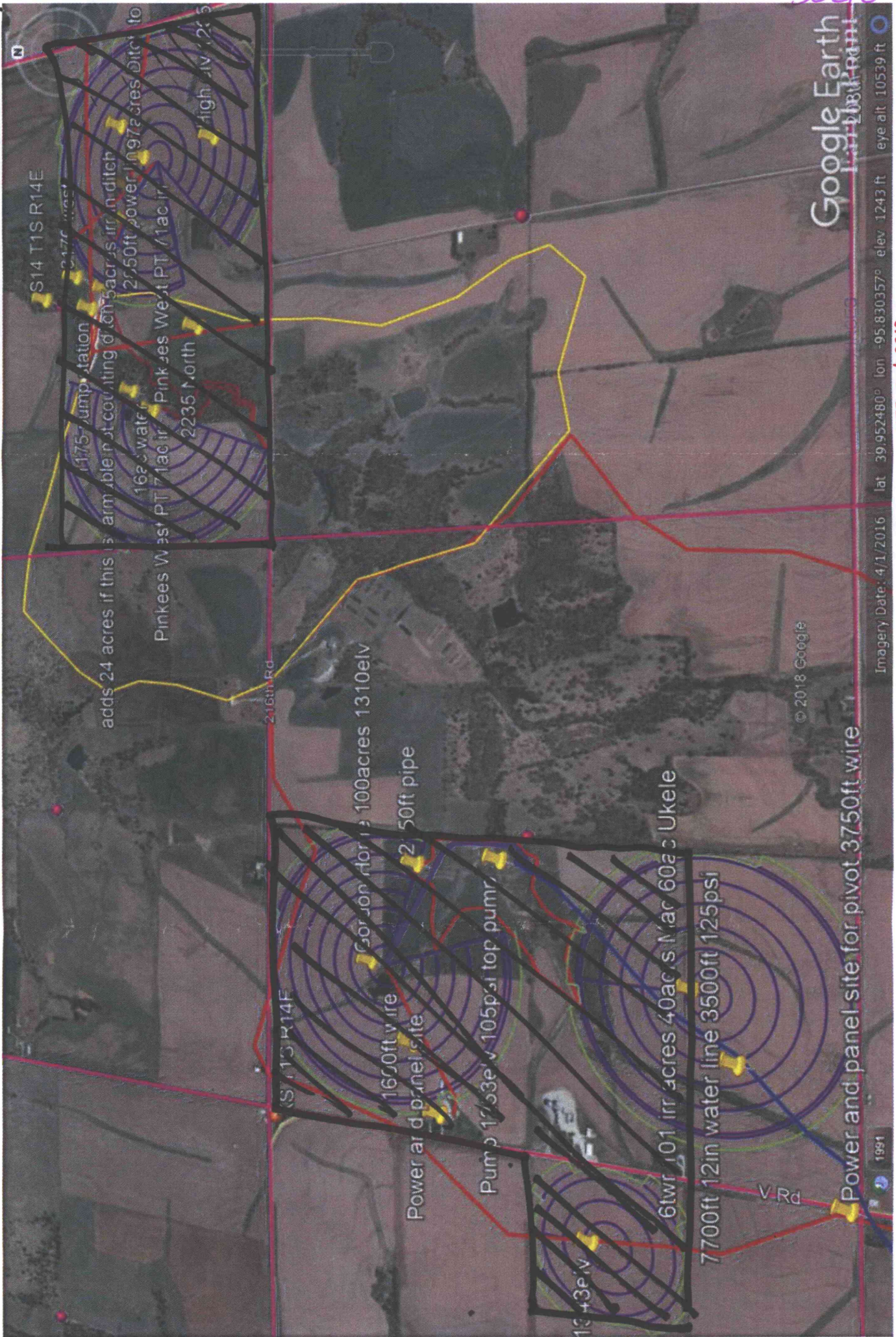
5020

50210



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50210



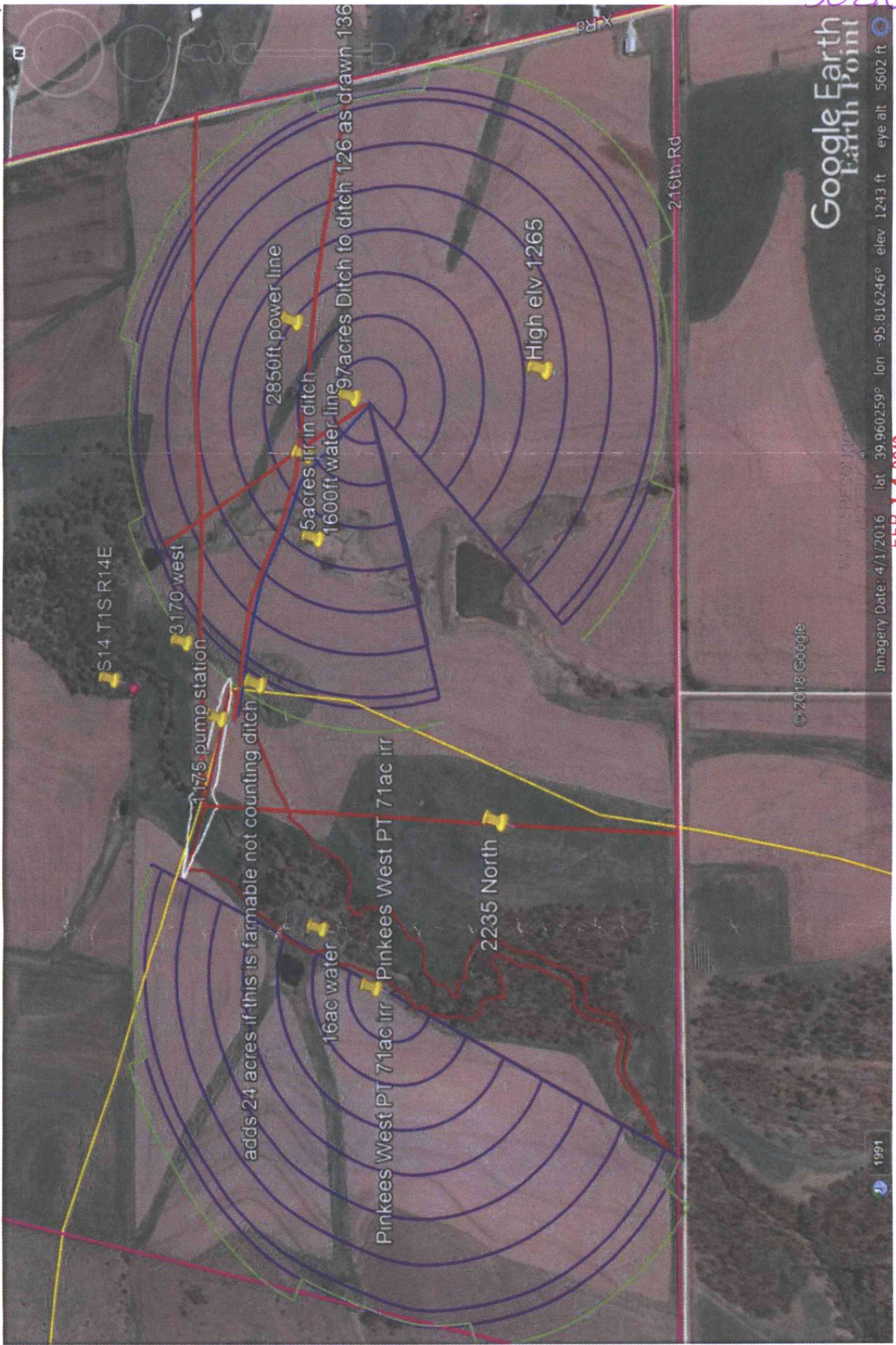
Google Earth

Imagery Date: 4/1/2016 lat 39.952480° lon -95.830357° elev 1243 ft eye alt 10539 ft

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50210



S14 T1S R14E

3170 west

17.5 pump station

adds 24 acres if this is farmable not counting ditch

16ac water

Pinkees West PT 71ac irr

2235 North

2850ft power line

5acres irr in ditch

1600ft water line

97acres Ditch to ditch 126 as drawn 136

High elev 1265

216th Rd

© 2018 Google

Google Earth
Earth Point

Imagery Date: 4/1/2016 lat 39.960259° lon -95.816246° elev 1243 ft eye alt 5602 ft

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1991