

File No. **49,985** 15. Formation Code:113 Drainage Basin: SALINE RIVER County: SA Special Use: Stream:

16. Points of Diversion										
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
MOD			86575	NW SE NE	35	13	3W	1	3800	800 (Geo-Ctr)
ENT			87007	NW SE NE	35	13	3W	3	3950	800 (Batt 1 of 4)
ENT			87008	NW SE NE	35	13	3W	4	3650	800 (Batt 1 of 4)
ENT			87009	NW SE NE	35	13	3W	5	3800	675 (Batt 1 of 4)
ENT			87006	NW SE NE	35	13	3W	2	3800	925 (Batt 1 of 4)
Battery ID # 2102										

17. Rate and Quantity				
Authorized		Additional		
Rate gpm	Quantity mgy	Rate gpm	Quantity mgy	Overlap PD Files
800	50	800	50	NONE

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

19. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

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

21. Place of Use						NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? YES	Overlap Files		
MOD	DEL	ENT	PUSE	S	T	R	ID	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				
√			68735	35	13	3W	1	TRUCK WASHOUT FACILITY (NE) (SE NE)																	7b.	YES	NONE

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: July 26, 2018

FROM: Doug Schemm

RE: Application, File No. 49,985

Michael Petrocci has filed the above referenced new application to appropriate 50 million gallons (153.44 acre-feet) of groundwater at a diversion rate of 800 gallons per minute for industrial use, from a battery of 4 wells. The well battery is located in the Northeast Quarter of Section 35, Township 13 South, Range 3 West, in Saline County, within the Saline River drainage basin. The place of use is owned by Blue Beacon International. The applicant has signed the application form stating that he has legal access to the point of diversion.

The source of water for the pending application is the Saline River alluvial aquifer based on the well log and the geographical location of the well. The well log shows clay extending to a depth of 55 feet, underlain by fine to coarse sand and gravel to a depth of 88 feet below ground surface. Note that the well log did not end on bedrock, and the drillers log states that "gravel may go as deep has 95' to 100'. Static water level was 55 feet, coinciding with the top of the sand and gravel layer. This would provide a saturated thickness of at least 33 feet.

K.A.R. 5-3-11 applies to safe yield evaluations for all unconfined aquifers. One of the specific criteria is to determine the extent of the unconfined aquifer. For this file, it appears that the alluvial aquifer extends across the entire two-mile circle, providing an area of consideration of 8,042 acres. With 3.1 inches of recharge and 75% available, safe yield was determined to be 1,558.23 acre-feet. Existing water rights have appropriated 20.98 acre-feet, leaving 1,537.25 acre-feet available, and this application requesting 153.44 acre-feet meets safe yield.

The applicant identified two domestic wells within one-half mile of the proposed point of diversion, and notification letters were mailed out on July 10, 2018. No responses of any kind were received. The nearest domestic well is over 2,000 feet away, and the nearest non-domestic well is over 5,700 feet away. The point of diversion complies with well spacing criteria of 660 feet to domestic wells and one quarter mile to non-domestic wells.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed.

In a July 25, 2018 e-mail, Kelly Stewart, Water Commissioner, Stockton Field Office, recommended approval of the referenced application. Based on the above discussion, well spacing and safe yield criteria are met, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

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

MICHAEL PETROCCI
10603 W STATE ST RD
BROOKVILLE KS 67425

September 6, 2018

FILE COPY

RE: Appropriation of Water, File No. 49,985

Dear Mr. Petrocci:

There is enclosed a permit to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in this permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this permit. A water meter is required on the diversion works and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed. All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right. If you have any questions, please contact our office. If you wish to discuss 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 "Kristen A. Baum".

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

KAB:dws

Enclosures

pc: Stockton Field Office
Blue Beacon International Inc.



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
and
PERMIT TO PROCEED**

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 49,985** of the applicant

**MICHAEL PETROCCI
10603 W STATE ST RD
BROOKVILLE KS 67425**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **January 29, 2018**.
2. That the water sought to be appropriated shall be used for industrial use at a truck washing facility located in the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 35, in Township 13 South, Range 3 West, Saline County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of four (4) wells with a geographic center located in the Northwest Quarter of the Southeast Quarter of the Northeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 35, more particularly described as being near a point 3,800 feet North and 800 feet West of the Southeast corner of said section, in Township 13 South, Range 3 West, Saline County, Kansas, located substantially as shown on the topographic map accompanying the application.
4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **800 gallons per minute (1.78 c.f.s.)** and to a quantity not to exceed **50 million gallons (153.44 acre-feet)** of water for any calendar year.
5. That installation of works for diversion of water shall be completed on or before **December 31, 2019** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

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

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

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

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

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

11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the 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.

12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

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

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

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

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

CERTIFICATE OF SERVICE

On this *26th* day of *September*, 2018, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,985, dated *August 30th 2018* was mailed postage prepaid, first class, US mail to the following:

MICHAEL PETROCCI
10603 W STATE ST RD
BROOKVILLE KS 67425

With photocopies to:

BLUE BEACON INTERNATIONAL INC
PO BOX 856
SALINA KS 67402-0856

Stockton Field Office



Division of Water Resources

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49985

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

WATER RESOURCES
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APPLICATION COMPLETE
7/25/18
Reviewer KAS for DNS

JAN 29 2018
12:21

**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.)

KS DEPT OF AGRICULTURE

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

1. Name of Applicant (Please Print): Michael Petrocci
Address: 10603 W State St Rd
City: Brookville State KS Zip Code 67425
Telephone Number: (620) 327-7462

2. The source of water is: surface water in _____ (stream)
OR groundwater in SALINE ~~Smoky Hill~~ River (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 153.4 acre-feet OR 50 MGY gallons per calendar year, to be diverted at a maximum rate of 800 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>3</u>	GMD <u>2</u>	Meets K.A.R. 5-3-1 (YES/NO) <u>(YES)</u>	Use <u>IND</u>	Source <u>@/S</u>	County <u>SA</u>	By <u>AW</u>	Date <u>1/29/18</u>
Code <u>REZ</u>	Fee \$ <u>300</u>	TR # _____	Receipt Date <u>1/29/18</u>	Check # <u>1522</u>			

2/5/2018 WJ

* Modified Geo-Center + located individual wells per discussion with applicant on 7/19/18.

File No. 49985

DWS/DWR

* 4 of 4 N W S E N E 3800' N + 925' W 35-13-3W Saline Co.

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.

* Geo-Center (A) One in the NW quarter of the SE quarter of the NE quarter of Section 35, more particularly described as being near a point 3800 feet North and 800 feet West of the Southeast corner of said section, in Township 13 South, Range 03 West, Saline County, Kansas.

* 1 of 4 (B) One in the NW quarter of the SE quarter of the NE quarter of Section 35, more particularly described as being near a point 3950 feet North and 800 feet West of the Southeast corner of said section, in Township 13 South, Range 3 East/West (circle one), SA County, Kansas.

* 2 of 4 (C) One in the NW quarter of the SE quarter of the NE quarter of Section 35, more particularly described as being near a point 3650 feet North and 800 feet West of the Southeast corner of said section, in Township 13 South, Range 3 East/West (circle one), SA County, Kansas.

* 3 of 4 (D) One in the NW quarter of the SE quarter of the NE quarter of Section 35, more particularly described as being near a point 3800 feet North and 675 feet West of the Southeast corner of said section, in Township 13 South, Range 3 East/West (circle one), SA 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):

Blue Beacon Int. 500 Graves Blvd. Salina, KS 785-825-2221

(name, address and telephone number)

(name, address and telephone number)

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

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

Executed on January 26, 2018.

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 battery of 4 wells and will be completed (by) 12-31-2019

(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 2018

(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.

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 _____

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.

N/A

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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	<u>1/26/2018</u>	_____	_____	_____
Total depth of well	<u>82 FT</u>	_____	_____	_____
Depth to water bearing formation	<u>55 FT</u>	_____	_____	_____
Depth to static water level	<u>55 FT</u>	_____	_____	_____
Depth to bottom of pump intake pipe	<u>N/A</u>	_____	_____	_____

14. The relationship of the applicant to the proposed place where the water will be used is that of Family Member / Purposed land buyer
(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):
Blue Beach Int. 500 Graves Blvd, Salina, KS 785-825-2221
(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 Salina, Kansas, this 26 day of January, 2018.
(month) (year)



(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by M. Billinger _____ Asst. Water Commissioner _____ Date: 01/16/18
(office/title)

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JAN 29 2018
SCANNED
KS DEPT OF AGRICULTURE

January 26, 2018
(Date)

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

Re: Application File No. 49985

Minimum Desirable Streamflow

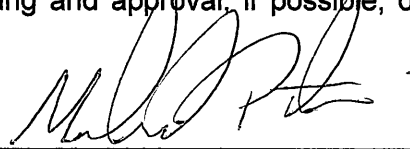
Dear Sir:

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

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.



Signature of Applicant

Michael Petracchi
(Print Applicant's Name)

State of Kansas)
County of Saline) ss

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 26 day of January, 2018.


Notary Public

My Commission Expires:

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JAN 29 2018

**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

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

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

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SCANNED

**INDUSTRIAL USE
SUPPLEMENTAL SHEET**

File No. 49985

Name of Applicant (Please Print): Michael Petrocci

1. Please describe type of industry or product produced: Commercial Livestock Washout Facility
 _____ Standard Industrial Classification Code Number: _____

2. Please complete the following table to show your past and present water requirements:

PAST PRODUCT PRODUCTION AND WATER DIVERTED, IF APPLICABLE

LAST 5 YEARS	AMOUNT OF PRODUCT	WATER DIVERTED (GALLONS)	GALLONS PER PRODUCT PER DAY
5 years ago			
Last year			
Present year			

3. Please complete the following table to show your future water requirements:

ESTIMATED FUTURE PRODUCT PRODUCTION AND WATER DIVERTED

NEXT 5 YEARS	AMOUNT OF PRODUCT	WATER TO BE DIVERTED (GALLONS)	GALLONS PER PRODUCT PER DAY
Year 1	9,000 Trucks	18,000,000	2000 g / Truck or 50,000g / Day
Year 2	10,800 Trucks	21,600,000	2000 g / Truck or 60,000g / Day
Year 3	14,400 Trucks	28,800,000	2000 g / Truck or 80,000g / Day
Year 4	16,200 Trucks	32,400,000	2000 g / Truck or 90,000g / Day
Year 5	19,800 Trucks	39,600,000	2000 g / Truck or 110,000g / Day

Number of days of operation of the industry per year is 360 days.

Please attach any tables, curves or additional information showing past, present and estimated future water requirements to substantiate the amount of water requested.

4. Please designate the legal description of the location where the water is to be used. Show in the space provided below the Section (S), Township (T), and Range (R), and the number of acres in each forty acre tract or fractional portion thereof.

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
35	13S	03W				16													16

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

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JAN 29 2018

Analysis Results

The selected PD is in an area OPEN to new appropriations.

The safe yield based on the variables listed below is 1,558.23 AF.

Total prior appropriations in the circle is 165.72 AF.

Total quantity of water available for appropriation is 1,392.51 AF.

1,537.25 AF

$$-153.44 = 12.28 \text{ AF} + 8.7 \text{ AF} = 20.98 \text{ AF}$$

Safe Yield Variables

The area used for the analysis is set at 8,042 acres.

The potential annual recharge at the circle center is estimated to be 3.1 inches.

The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 10-JUL-2018 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

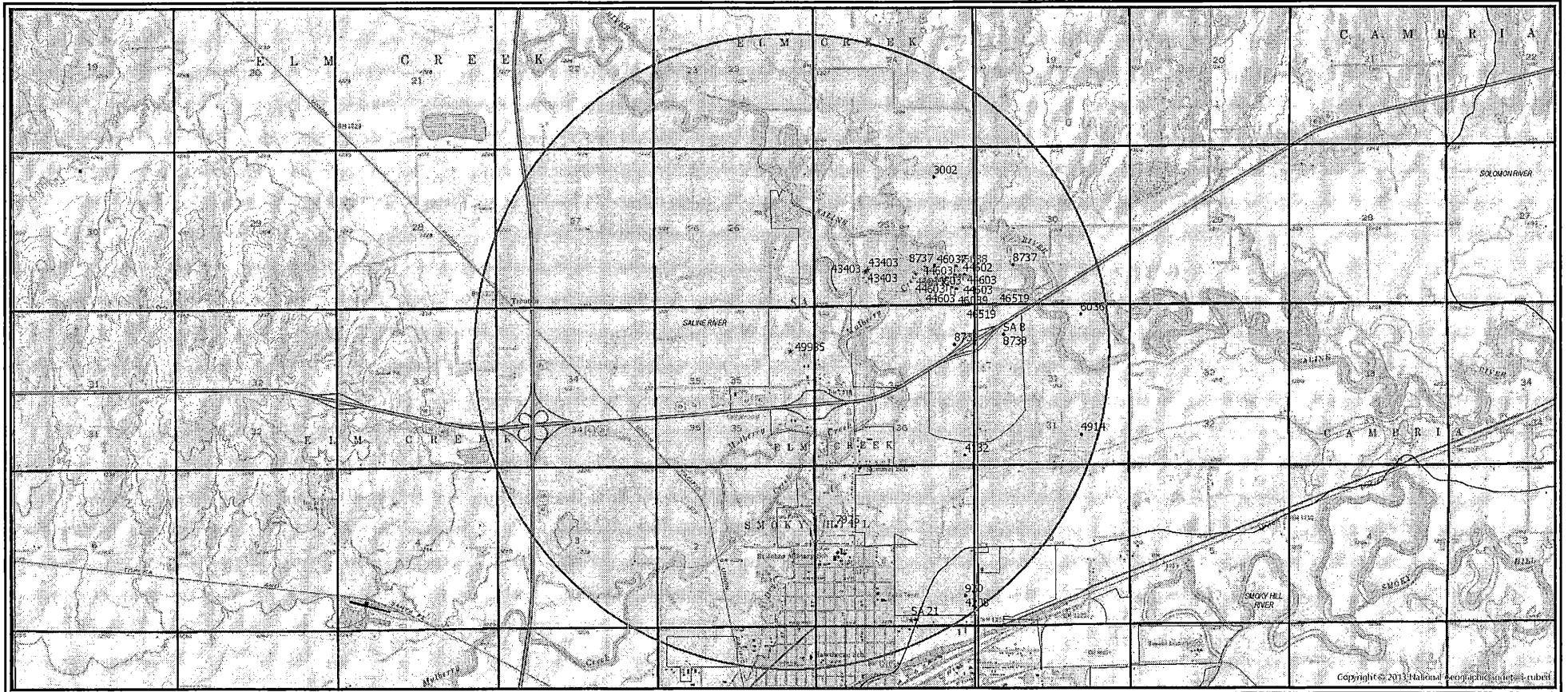
There are 4 water rights and 5 points of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth Quant	Add Quant	Tot Acres	Net Acres
A 44603 00	REC	NK	G		SE	SE	SE	418	530	25	13	03W	10	WR	8.70	0.00 + 8.7		
Same	REC	NK	G		SW	SE	SE	546	798	25	13	03W	11	WR				
Same	REC	NK	G		SW	SE	SE	482	664	25	13	03W	12	WR				
A 46039 00	REC	NK	G		SE	SE	SE	418	530	25	13	03W	10	WR	5.89	0.00 ✓		
Same	REC	NK	G		SW	SE	SE	546	798	25	13	03W	11	WR				
Same	REC	NK	G		SW	SE	SE	482	664	25	13	03W	12	WR				
A 46519 00	REC	NK	G		NE	NW	NW	5270	4382	31	13	02W	5	WR	12.28	12.28		
A 49985 00	IND	AY	G		NW	SE	NE	3810	787	35	13	03W	1	WR	153.44	153.44		

Limitations

File Number	Seq Num	Limitations
A 44603 00	1	50AF/YR COM/W #44602 * (surface water)
A 46039 00	2	8.7AF/YR @ 35GPM COM/W #44603

Safe Yield Report Sheet
Water Right- A4998500
Point of Diversion in 35-13S-03W
Footages from SE corner- 3,810 feet North 787 feet West



AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49985 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49985 00 IND

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

3810 Feet North and 787 Feet West of the Southeast Corner of Section 35 T 13S R 3W

GROUNDWATER ONLY

```

=====
File Number   Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth_Quan Add_Quan Unit
A__  44603 00 REC NK G      5791 -- SW SE SE  482  664 25 13  3W 12 G 2      8.70      .00 AF
Same
      5896 -- SE SE SE  418  530 25 13  3W 10 B 2
Same
      5688 -- SW SE SE  546  798 25 13  3W 11 B 2
A__  46039 00 REC NK G      5791 -- SW SE SE  482  664 25 13  3W 12 G 2      5.89      .00 AF
Same
      5896 -- SE SE SE  418  530 25 13  3W 10 B 2
Same
      5688 -- SW SE SE  546  798 25 13  3W 11 B 2
A__  46519 00 REC NK G      6975 -- NE NW NW 5270 4382 31 13  2W  5      12.28     12.28 AF
A__  49985 00 IND AY G         0 -- NW SE NE  3810  787 35 13  3W  1      153.44    153.44 AF
=====
    
```

```

=====
Total Net Quantities Authorized:   Direct      Storage
Total Requested Amount (AF) =      153.44      .00
Total Permitted Amount (AF) =         .00      .00
Total Inspected Amount (AF) =         .00      .00
Total Pro_Cert Amount (AF) =         .00      .00
Total Certified Amount (AF) =         12.28      .00
Total Vested Amount (AF) =          .00      .00
TOTAL AMOUNT (AF) =          165.72      .00
=====
    
```

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

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

3810 Feet North and 787 Feet West of the Southeast Corner of Section 35 T 13S R 3W

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

```

=====
File Number   Use ST SR
A__  44603 00 REC NK G
> WEBSTER CONFERENCE CENTER
>
> 2601 N OHIO
> SALINA KS 67401
>-----
A__  46039 00 REC NK G
> WEBSTER CONFERENCE CENTER
>
> 2601 N OHIO
> SALINA KS 67401
>-----
A__  46519 00 REC NK G
> RECREATIONAL FILE
>
> GROUNDWATER PIT
    
```

> ALLSTATE MO 00000

>-----

A__ 49985 00 IND AY G

> MICHAEL PETROCCI

>

> 10603 W STATE ST RD

> BROOKVILLE KS 67425

>-----

=====

#####

#49,985

WATER WELL RECORD Form WWC-5

Division of Water Resources App. No.

Well ID

Original Record Correction Change in Well Use

1 LOCATION OF WATER WELL: County: SARIWE Fraction: NE 1/4 NW 1/4 SE 1/4 NE 1/4 Section Number: 35 Township Number: T 13 S Range Number: R 3 E 1/4 W

2 WELL OWNER: Last Name: PETROCCI First: MIKE Street or Rural Address where well is located: BLUE BEACON TRUCK WASH City: BROOKVILLE State: KS ZIP:

3 LOCATE WELL WITH 'X' IN SECTION BOX: N W E S 1 mile. 4 DEPTH OF COMPLETED WELL: 82 ft. Depth(s) Groundwater Encountered: 1) 55 ft. 2) ... ft. 3) ... ft. or 4) Dry Well. WELL'S STATIC WATER LEVEL: 55 ft. below land surface, measured on (mo-day-yr) 01-17-18.

5 Latitude: ... (decimal degrees) Longitude: ... (decimal degrees) Datum: WGS 84 NAD 83 NAD 27 Source for Latitude/Longitude: GPS (unit make/model: ... (WAAS enabled? Yes No) Land Survey Topographic Map Online Mapper: ... 6 Elevation: ... ft. Ground Level TOC Source: Land Survey GPS Topographic Map Other

7 WELL WATER TO BE USED AS: 1. Domestic: Household Lawn & Garden Livestock 2. Irrigation 3. Feedlot 4. Industrial 5. Public Water Supply: well ID 6. Dewatering: how many wells? 7. Aquifer Recharge: well ID 8. Monitoring: well ID 9. Environmental Remediation: well ID Air Sparge Soil Vapor Extraction Recovery Injection 10. Oil Field Water Supply: lease 11. Test Hole: well ID Cased Uncased Geotechnical 12. Geothermal: how many bores? a) Closed Loop Horizontal Vertical b) Open Loop Surface Discharge Inj. of Water 13. Other (specify):

Was a chemical/bacteriological sample submitted to KDHE? Yes No If yes, date sample was submitted: Water well disinfected? Yes No

8 TYPE OF CASING USED: Steel PVC Other CASING JOINTS: Glued Clamped Welded Threaded Casing diameter: 6.25 in. to 6.25 ft. Diameter: in. to ft. Diameter: in. to ft. Casing height above land surface: 24 in. Weight: 1.60 lbs./ft. Wall thickness or gauge No. 3.52 26

TYPE OF SCREEN OR PERFORATION MATERIAL: Steel Stainless Steel Fiberglass PVC Other (Specify) Brass Galvanized Steel Concrete tile None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE: Continuous Slot Mill Slot, 0.25 Gauze Wrapped Torch Cut Drilled Holes Other (Specify) Louvered Shutter Key Punched Wire Wrapped Saw Cut None (Open Hole)

SCREEN-PERFORATED INTERVALS: From 24 ft. to 82 ft. From ... ft. to ... ft. From ... ft. to ... ft. GRAVEL PACK INTERVALS: From 24 ft. to 82 ft. From ... ft. to ... ft. From ... ft. to ... ft.

9 GROUT MATERIAL: Neat cement Cement grout Bentonite Other Grout intervals: From 1 ft. to 24 ft. From ... ft. to ... ft. From ... ft. to ... ft.

Nearest source of possible contamination: Septic Tank Lateral Lines Pit Privy Livestock Pens Insecticide Storage Sewer Lines Cess Pool Sewage Lagoon Fuel Storage Abandoned Water Well Watertight Sewer Lines Seepage Pit Feedyard Fertilizer Storage Oil Well/Gas Well Other (Specify) Direction from well? NORTH Distance from well? 80 ft.

10 FROM TO LITHOLOGIC LOG FROM TO LITHO. LOG (cont.) or PLUGGING INTERVALS 0 25 CLAY, SILTY, GRAY, LT BROWN 28 55 CLAY, GRAY, GREEN FIRM 55 88 SAND & GRAVEL FINE TO COARSE WITH LIMESTONE & SILTSTONE PEBBLES Notes: GRAVEL MAY GO AS DEEP HAS 95' TO 100'

11 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, reconstructed, or plugged under my jurisdiction and was completed on (mo-day-yr) 01-24-18 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 382 This Water Well Record was completed on (mo-day-yr) 01-31-18 under the business name of P.E.S. INCALC PUMP SERVICE

INSTRUCTIONS: Send one copy to WATER WELL OWNER and retain one copy for your records. Submit fee of \$5.00 for each constructed well along with one (white) copy to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone (785) 296-3565. Visit us at http://www.kdheks.gov/waterwell/index.html KSA 82a-1212

Revised 9/10/2012



Layers*

Labels

Parcels

NRCS Soils

School Districts

County Aerials 2017

NG911 Aerials 2015

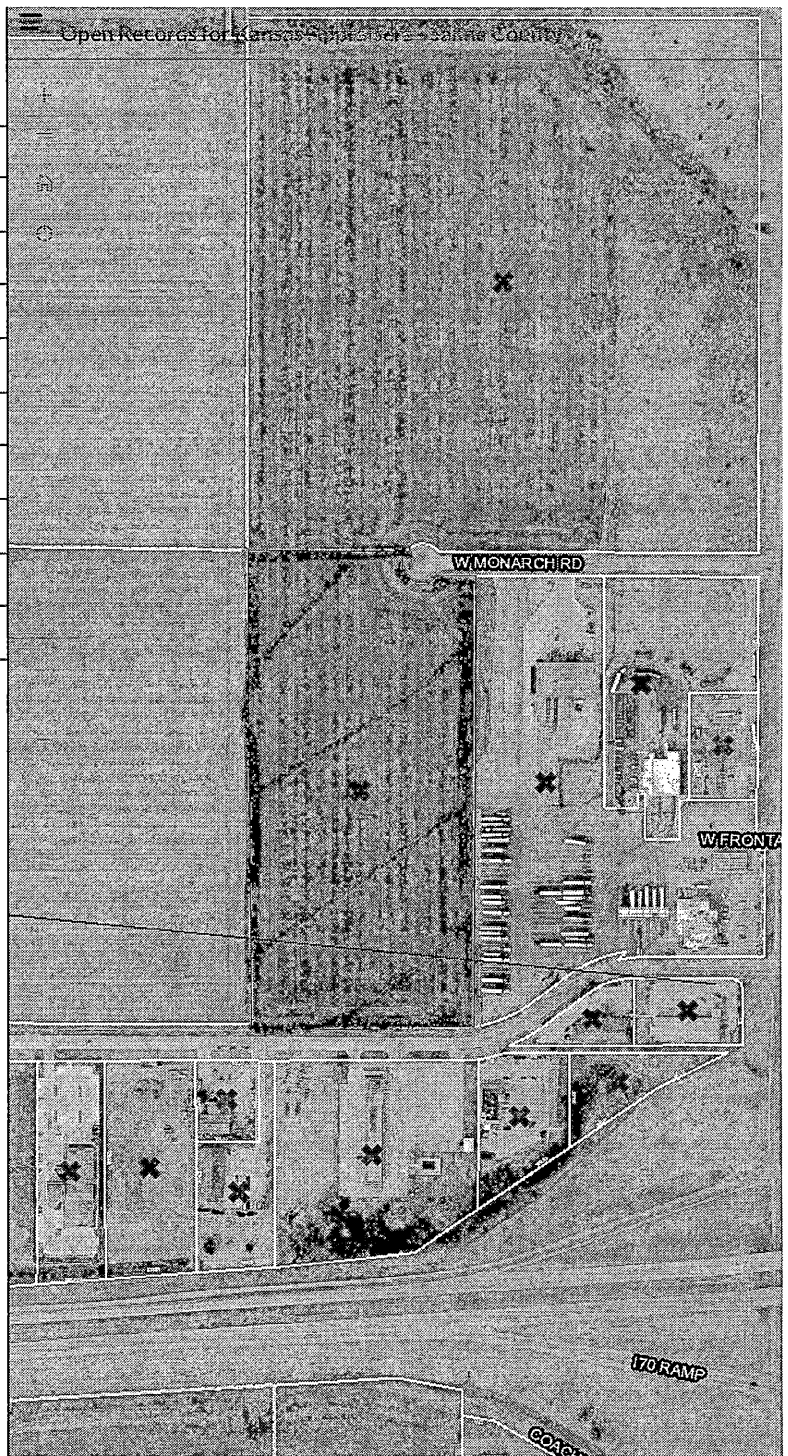
NAIP Aerials 2017

NAIP Aerials 2015

NAIP Aerials 2014

Base Map

* Some layers only visible when zoomed in



Saline County Kansas

Official County Government Website

[HOME](#) [GOVERNMENT](#) [DEPARTMENTS](#) [CONTACTS](#)

You are here: [Departments](#) > [Appraiser](#) > [Parcel Lookup](#)

Parcel Search

[Back to Search](#)

[Back To Search Results](#)

[GIS Mapping](#) [View Taxes](#) [Sketch](#) [Printer](#)

Friendly

Owner Name and Address

Quick Ref: R1150

Owner Name: **BLUE BEACON INTERNATIONAL INC**

Owner Address: **PO BOX 356 SALINA, KS 67402-0356**

Property Situs Addr / Tract Desc

Property Number: 085-037-35-0-10-01-001.01-0

Property Address: 00000 W DIAMOND DR, Salina, KS 67401

Legal Description: INTRST DIST N 1-70 #2 RPLT B1, S35, T13, R3, BLOCK 1, ACRES 15.53, BLOCK 1, PT LT 3 BEG SW/C TH N 1206.5 E 404.13 ALG CUR TO LFT 157.08 E 94.49 S 1140.97 SW 60.34 W 519.89 TO POB

General Property Information

Property Class	Living Units	Zoning	Neighborhood	Map / Routing	Tax Unit Group
Commercial & Industrial			518	037	001

Market Land Information

Current Appraised Value

Class	Land	Building	Total
A	4,670	0	4,670
Total	4,670	0	4,670

Previous Appraised Value

Class	Land	Building	Total
A	4,360	0	4,360
Total	4,360	0	4,360

Agricultural Land Detail

Type	Acres	Soil Unit	Irr Type	Well Depth	Acre Feet	Ft/Acre
DR	15.53	3633				

Ag Land Summary

DR Acres	15.53
IR Acres	0.00
NG Acres	0.00

49,985

Schemm, Doug [KDA]

Subject: Michael Petrocci

From: Stewart, Kelly [KDA]

Sent: Wednesday, July 25, 2018 3:39 PM

To: Schemm, Doug [KDA] <Doug.Schemm@ks.gov>

Cc: Billinger, Mark [KDA] <Mark.Billinger@ks.gov>; Hageman, Rebecca [KDA] <Rebecca.Hageman@ks.gov>

Subject: RE: Michael Petrocci

Doug,

I have no objection to the approval of this application (File No. 49,985).

Kelly

From: Schemm, Doug [KDA]

Sent: Wednesday, July 25, 2018 2:32 PM

To: Stewart, Kelly [KDA] <Kelly.Stewart@ks.gov>

Cc: Billinger, Mark [KDA] <Mark.Billinger@ks.gov>

Subject: Michael Petrocci

Hello Stockton,

Nothing much else around this one. Meets all the regs.

Please review,

Doug

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

STATE OF KANSAS



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

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

July 10, 2018

CENTRAL KANSAS FLYWHEELS INC
1100 W DIAMOND DR
SALINA KS 67401

Re: Pending New Application, File No. 49,985

Dear Sir or Madam:

This is to advise you that Michael Petrocci has filed the application referred to above for a permit to appropriate 50 million gallons (153.4 acre-feet) of groundwater per calendar year for industrial use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion is the geographic center of a battery of four wells, located as follows:

In the Northwest Quarter of the Southeast Quarter of the Northeast Quarter of Section 35, in Township 13 South, Range 3 West, Saline County, Kansas.

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

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

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

Sincerely,

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Michael Petrocci

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

STATE OF KANSAS



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

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

July 10, 2018

CLIFFORD BAKER
ROUTE 2
SALINA KS 67401

Re: Pending New Application, File No. 49,985

Dear Sir or Madam:

This is to advise you that Michael Petrocci has filed the application referred to above for a permit to appropriate 50 million gallons (153.4 acre-feet) of groundwater per calendar year for industrial use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion is the geographic center of a battery of four wells, located as follows:

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Sincerely,

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Michael Petrocci

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

MICHAEL PETROCCI
10603 W STATE ST RD
BROOKVILLE KS 67425

RE: Application
File No. 49985

Dear Sir or Madam:

Your application for permit to appropriate water in 35-13S-3W in Saline County, was received and has been assigned the file number noted above.

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor . . .

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6637. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

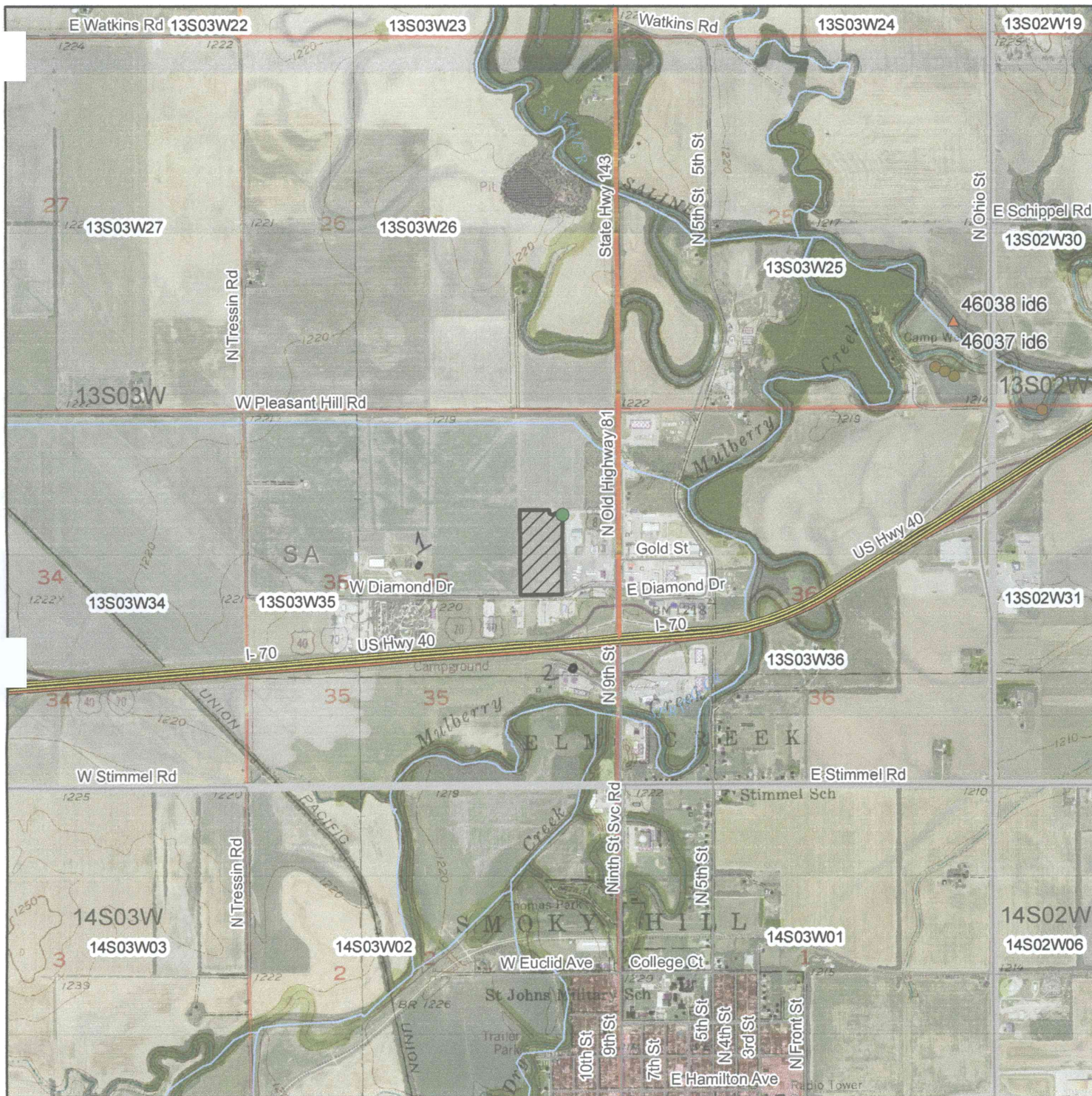
Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: STOCKTON Field Office
GMD

SCANNED

New Application - Groundwater
 Assisted by Division of Water Resc
 Stockton Field Office

49985



Proposed Place of Use

- ▲ Surface Water Point of Diversion
- Groundwater Point of Diversion

WATER RESOURCES RECEIVED 1:24,000

- Proposed Point of Diversion

Signature Required

By signing this I am stating that to the best of my knowledge that all wells within 1/2 mile of proposed well location are identified on this map.

JAN 29 2018

KS DEPT OF AGRICULTURE



#1,2 info

SCANNED Back →