

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.

#1

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 50192
This item to be completed by the Division of Water Resources.

Water Resources
Received
JAN 03 2019
11:45
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): PESSEMIER COMPANY CHRISTIAN A ROYER
Address: PO BOX 206
City: ST MARYS State KS Zip Code 66536
Telephone Number: (785) 456-4655

2. The source of water is: surface water in _____ (stream)
OR groundwater in KANSAS 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 200* acre-feet OR _____ 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. 1 GMD 0 Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source G/S County WB By KON Date 1/3/19
Code 102 Fee \$ 300.00 TR # _____ Receipt Date 1/3/18 Check # 21449

DWR 1-100 (Revised 02/12/2014) * QUANTITY LIMITED TO 200 AF WHEN COMBINED WITH 39253 + 43699
* QUANTITY LIMITED TO 368.5 AF WHEN COMBINED WITH 36961; 36962; 39253; 43699; 43700 + 43701
** RATE LIMITED TO 800 gpm WHEN COMBINED WITH 39253 + 43699
1/8/2019 ULM

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.

ONE(1) WELL
EXISTING

(A) One in LOT 5 quarter of the _____ quarter of the _____ quarter of Section 8, more particularly described as being near a point 2962 feet North and 4492 feet West of the Southeast corner of said section, in Township 10 South, Range 12 EAST, WABAUNSEE _____ County, Kansas.

ONE(1) WELL
NEW

(B) One in LOT 5 quarter of the _____ quarter of the _____ quarter of Section 8, more particularly described as being near a point 3257 feet North and 4492 feet West of the Southeast corner of said section, in Township 10 South, Range 12 EAST, WABAUNSEE _____ County, Kansas.

Geographic
Center

(C) One in LOT 5 quarter of the _____ quarter of the _____ quarter of Section 8, more particularly described as being near a point 3110 feet North and 4492 feet West of the Southeast corner of said section, in Township 10 South, Range 12 EAST, WABAUNSEE _____ 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)

(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 1/2, 20 19. _____
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 A BATTERY OF 2 WELLS
(number of wells, pumps or dams, etc.)
and WILL BE completed (by) JUNE 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 JUNE 2019
(Mo/Day/Year)

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.

SOURCE WILL BE KS. RIVER ALLUVIUM
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)

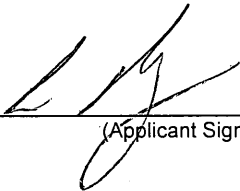
15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

(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 ST. MARYS, Kansas, this 2 day of JANUARY, 2019.
(month) (year)



(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by BRETT BUNGER TFO/ ASST WATER COMM. Date: 12-14-18
(office/title)

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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 **N/A** _____

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 ½ 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 ½ mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) ½ mile downstream and ½ 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.

P/D – 39253 & 43699

P/U – 36961; 36962; 39253; 43699; 43700 & 43701

IRRIGATION USE SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): PESSEMIER COMPANY

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: PESSEMIER COMPANY CHRISTIAN A ROYER

ADDRESS: PO BOX 206 ST MARYS KS 66536

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
7	10	12e				L-3 21.95										L-4 24.48	L-6 1		L-5 20	67.43
7	10	12E				L-1 1														1
7	10	12E	4		1	14										15.52	2		5	41.52

Landowner of Record NAME: CHRISTIAN A ROYER

ADDRESS: PO BOX 206 ST MARYS KS 66536

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
8	10	12E						L-5 38.25	L-6 14.33	L-6 39							L-7 3.22			94.8
8	10	12E					4	6.5	1.75	13		40	40						25	130.25

TOTAL = 335 ACRES

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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2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): _____%

Estimate the maximum land slope in the field(s): _____%

c. Type of irrigation system you propose to use (check one):

- Center pivot Center pivot - LEPA "Big gun" sprinkler
 Gravity system (furrows) Gravity system (borders) Sideroll sprinkler

Other, please describe: _____

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: _____ psi

(2) What is the sprinkler package design rate? _____ gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? _____ feet

(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

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

(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. _____

Minimum Desirable Streamflow
KANSAS River Assurance District
Water Reservation Rights

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established, an Assurance District has been formed and established or a Water Reservation Right is held by the Kansas Water Office (circle the appropriate item) for the source of supply to which the above referenced application applies, namely the KANSAS RIVER

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, Assurance District or Water Marketing releases are being made from storage in Federal Reservoirs or when a Reservation Right upstream of a Federal Reservoir is being administered.

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]
Signature of Applicant

CHRIS ROYER
Print Applicant Name

State of Kansas)
County of Pottawatomie) SS

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 2nd day of January, 2019

[Signature]
Notary Public

My Commission Expires: 10-30-2022

Water Resources
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NOTARY PUBLIC - State of Kansas
BROOKE M. BIRD
My Appt. Expires 10-30-2022

JAN 03 2019

KS Dept Of Agriculture

**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

Assurance Districts have been formed on the following rivers:

Kansas River Marias des Cygnes River Neosho River

The Kansas Water Office has Water Reservation Rights for the following reservoirs:

Big Hill	Marion
Clinton	Melvern
Council Grove	Milford
Elk City	Perry
Hillsdale	Pomona
John Redmond	Tuttle Creek

WELLS WITHIN ONE-HALF MILE

- #1) FILE NO. 48368 (IRR.)
CHARLES F & MARITA RONNAU
27155 OREGON TRAIL RD
ST MARYS KS 66536

- #2) FILE NOS. 36962 & 43700 (IRR.)
OWNER = APPLICANT

- #3) FILE NOS. 36961 & 43701 (IRR.)
OWNER = APPLICANT

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Chris, as per our recent discussions I have prepared the enclosed applications which propose the drilling of a fourth well and create a battery of 2 wells with the existing North well. To finish up the applications, please do the following:

Application for Permit to Appropriate Water – This application has a #1 in the upper left-hand corner of the first page. This will provide an opportunity to develop additional annual quantity from the battery of wells and establish a higher pumping rate at 800 gallons per minute for the battery.

#1) Sign and date the application in Item #'s 6 & 16

#2) There is a form included with the application that references "Minimum Desirable Streamflow". This form will need to be signed and dated in the presence of a notary.

#3) Please sign and date the aerial photo in the spaces provided.

#4) The filing fee for this application is \$300

Application to Change the Point of Diversion – There are two of these applications, one for each of the two water rights that currently reside on the North well. These applications have a #2 in the upper left-hand corner of the first page.

#1) Please sign and date both applications on Page 5.

#2) Please sign and date the aerial photos attached to the applications.

#3) The filing fee for each application is \$100.

You can provide one check for \$500 payable to the Kansas Dept of Agriculture to cover the filing fees.

Please return the applications, attachments and check to:

Division of Water Resources
1320 Research Park Drive
Manhattan KS 66502

Water Resources
Received

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KS Dept Of Agriculture

If you have any questions, please call. (785) 296-7064

Brett

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

January 4, 2019

Pessemier Company, Christian A Royer
PO Box 206
St. Marys, KS 66536

RE: Application, File No. **50192**

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.

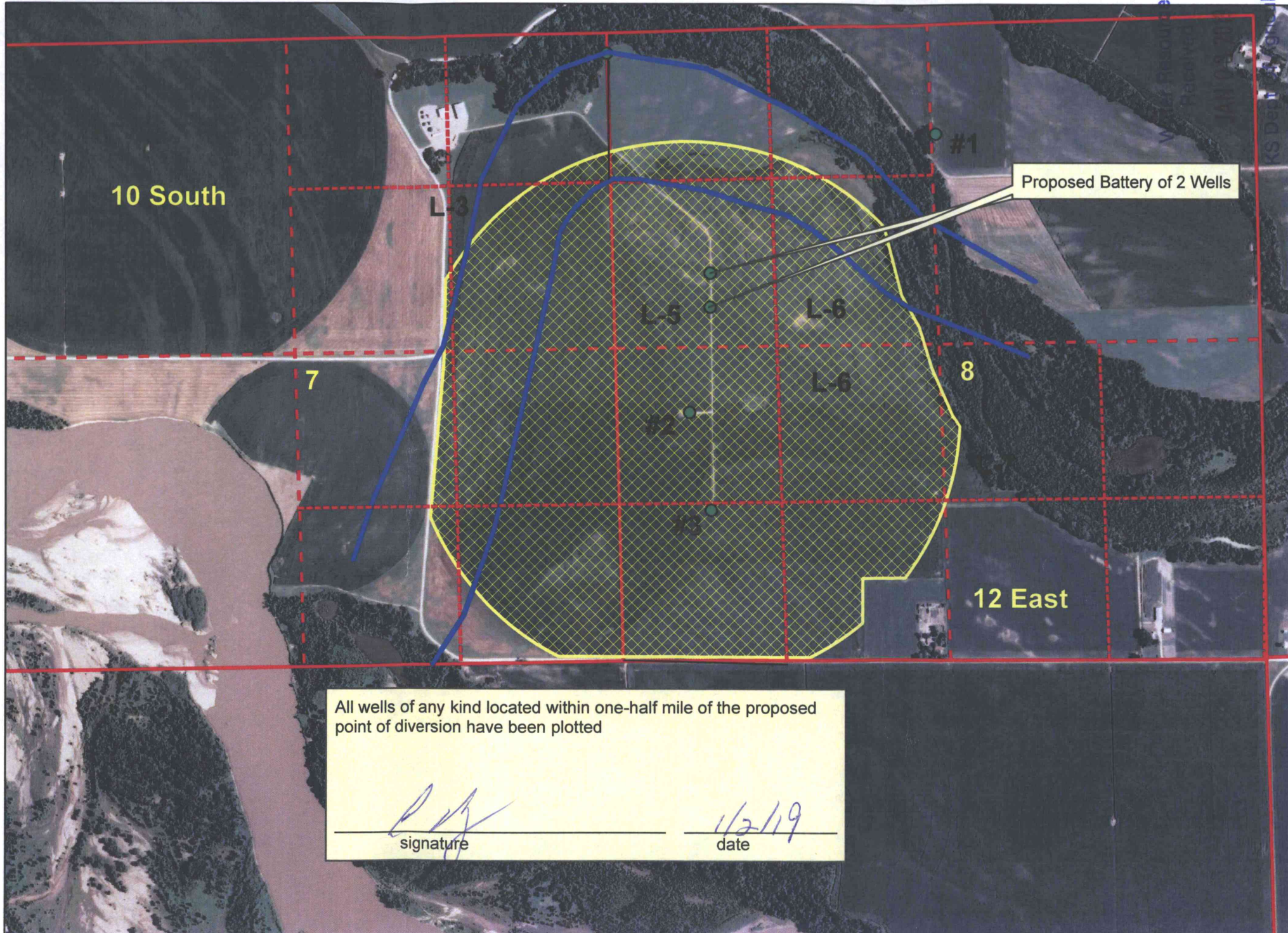
Sincerely,

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

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

1:12,000

New Application



All wells of any kind located within one-half mile of the proposed point of diversion have been plotted

signature _____ date 1/2/19