

# 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
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 50361
This item to be completed by the Division of Water Resources.

Water Resources Received

MAR 16 2020

11:00

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): RICHARD ROESER
Address: 13408 CLARKS CREEK RD
City: JUNCTION CITY State: KS Zip Code 66441-7824
Telephone Number: (785) 210-5943 \*KJN 3/16/20

2. The source of water is: [ ] surface water in (stream)
OR [x] 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 115.5 acre-feet OR gallons per calendar year, to be diverted at a maximum rate of 1400 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/S County GE By KJN Date 3/16/20
Code -REG-REZ Fee \$ 300 TR # Receipt Date 3/16/20 Check # 98

4/7/2020
LMoody

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 SE quarter of the NE quarter of the SW quarter of Section 35, more particularly described as being near a point 1,327 feet North and 3,059 feet West of the Southeast corner of said section, in Township 11 South, Range 6 EAST, GEARY County, Kansas.
- (B) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.
- (C) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.
- (D) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

6. The owner of the point of diversion, if other than the applicant is (please print):

\_\_\_\_\_

(name, address and telephone number)

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

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

Executed on 3 - 14, 2020. Richard J. Rosen  
Applicant's Signature

7. The proposed project for diversion of water will consist of ONE WELL  
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) SUMMER 2020  
(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 SUMMER 2020.  
(Mo/Day/Year)

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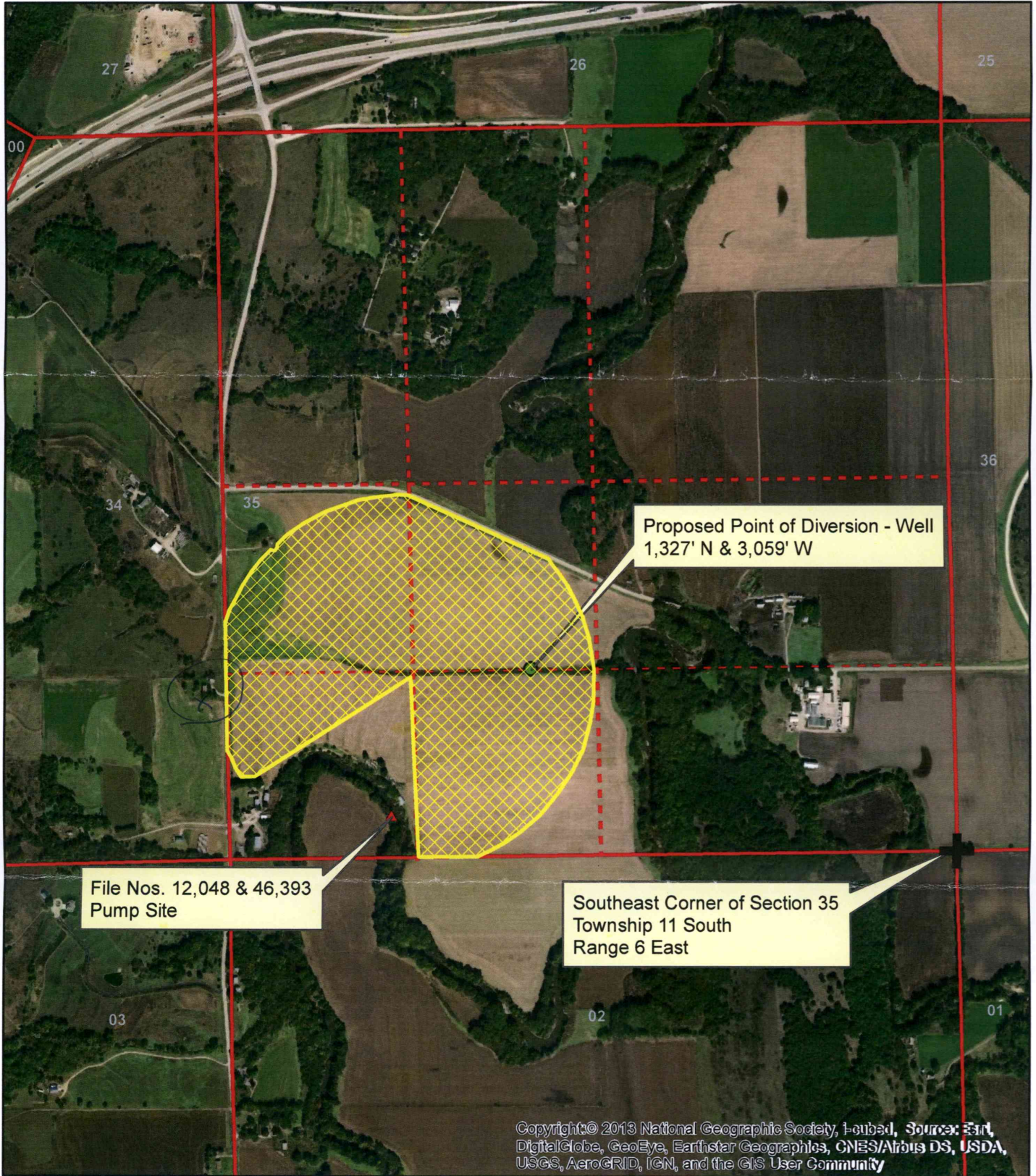
MAR 16 2020

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# RICHARD ROESER NEW APPLICATION - SITE MAP

1:12,000



File Nos. 12,048 & 46,393  
Pump Site

Proposed Point of Diversion - Well  
1,327' N & 3,059' W

Southeast Corner of Section 35  
Township 11 South  
Range 6 East

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Proposed IRR Place of Use



Proposed Point of Diversion

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All Known Wells of any kind within one-half mile of the proposed point of diversion have been identified.

*Richard Z. Roeser*

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 \_\_\_\_\_

GROUNDWATER WELL

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.

FILE NOS. 12,048 AND 46,393 OVERLAP IN PLACE OF USE.

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13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from:  Test holes     Well as completed     Drillers log attached

Well location as shown in paragraph No. (A)    (B)    (C)    (D)

Date Drilled \_\_\_\_\_

Total depth of well \_\_\_\_\_

Depth to water bearing formation \_\_\_\_\_

Depth to static water level \_\_\_\_\_

Depth to bottom of pump intake pipe \_\_\_\_\_

14. The relationship of the applicant to the proposed place where the water will be used is that of

TENANT/AGENT/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):

~~EDNAH M ROESER TRUST, PO BOX 1665, JUNCTION CITY, KS 66441~~  
(name, address and telephone number)

CMRL Farms, LLC, PO Box 1665, Junction City, KS 66441  
(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 Junction City, Kansas, this 14<sup>th</sup> day of March, 2020.  
(month) (year)

Linda Bate, Member  
CMRL Farms, LLC  
(Applicant Signature)

By Richard J. Rouse  
(Agent or Officer Signature)

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

Assisted by DWS TOPEKA FO Date: 3/10/2020  
(office/title)

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**Sargent Drilling**  
**INDUSTRIAL ENGINEERING**  
**COMPLETE MUNICIPAL AND INDUSTRIAL**  
**WELL AND PUMP SERVICE**

PO Box 367  
 Geneva, NE 68361-0367

846 South 13<sup>th</sup> St.

Phone: (402) 759-3902  
 1-888-496-3902

**TEST HOLE LOG**

CUSTOMER: Richard Roeser	
WELL ID: 2020-2	
LOCATION: SW ¼, 35-T11S-R6E, Geary Co., KS	
LATITUDE: 39° 2' 52"	
LONGITUDE: 96° 44' 7.5"	
ELEVATION: 1,047'	
FOOTAGES: 1327 feet from the South section line and 3059 feet from the East section line.	
DATE: 03/02/20	DRILLED BY: Scott

SWL:  
 PWL

<u>from feet</u>	<u>- to feet</u>	
0	20	Top soil and brown clay
20	26	Brown and gray clay
26	40	Fine, medium, coarse sand and fine, medium, coarse gravel and rocks (losing water at 31' to 48')
40	48	Rock and gravel very coarse
48	50	Rock

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## IRRIGATION USE SUPPLEMENTAL SHEET

File No. \_\_\_\_\_

Name of Applicant (Please Print): RICHARD ROESER

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: ~~EDNA H M ROESER TRUST~~ <sup>#3</sup> CMRL Farms, LLC  
 ADDRESS: PO BOX 1665, JUNCTION CITY, KS 66441

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	11	6E										27	31	15	32					105

**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		



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: 30 psi

(2) What is the sprinkler package design rate? 775 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).

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

## 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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**TRUSTEE'S DEED**

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This Indenture, made this 2<sup>nd</sup> day of March, 2020, by and between **Ednah M. Roeser Trust**, as GRANTOR, and **CMRL Farms, LLC**, as GRANTEE.

**THE GRANTOR**, by virtue of the terms and provisions of said Trust Agreement, in consideration of the sum of Ten Dollars (\$10.00) and other consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to the CMRL Farms, LLC the following described real estate in Geary County, Kansas, to-wit:

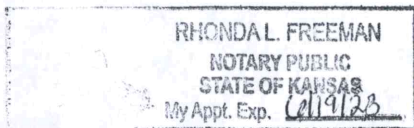
**See Exhibit A, attached hereto.**

**THE GRANTOR** covenants that the trust remains in full force and effect at this time, that the Trustee has authorization, without limitation, to sell and convey all of the above described real estate.

Linda Barten, Trustee of the Ednah M. Roeser Trust

STATE OF KANSAS, COUNTY OF GEARY, SS:

The foregoing instrument was acknowledged before me this 2<sup>nd</sup> day of March, 2020, by Linda Barten, Trustee of the Ednah M. Roeser Trust, on behalf of the Trust.

  
Notary Public

My Appointment Expires: \_\_\_\_\_

This deed is exempt from K.S.A. 1991 Supp. 79-1437 as per paragraph No. 4.

ME:Roeser.CMRL.Deed

ENTERED IN THE TRANSFER  
RECORD IN MY OFFICE, THIS  
4 DAY OF Mar  
2020  
  
COUNTY CLERK

STATE OF KANSAS, GEARY COUNTY  
This instrument was filed for record on  
March 4, 2020 2:05 PM and recorded in  
Book 116 Page 868 - 877  
Fees: \$174.00 202000662

Diane Briestensky - Leonard

, Register of Deeds



River Farm



Lot Three (3), except Sub One (1), Section Thirteen (13), Township Eleven (11), Range Six (6) East, otherwise described as Sub Two (2), viz: Beginning at a quarter section stone on south side of Section Thirteen (13) and going east on the section line about 1253 feet to the center of Clark's Creek; thence going down stream in center of channel of Clark's Creek to the bank of the Kansas River; thence going upstream on right bank of said river to a point due north of place of beginning; thence South to place of beginning (10.5 acres, more or less); and

Lot Four (4) of Section Thirteen (13), (18.3 acres, more or less); and Lot One (1) of Section Fourteen (14), (.9 acres in river); and Lot One (1) of Section Twenty-three (23), (26.4 acres, more or less); and East Half (E $\frac{1}{2}$ ) of Southeast Quarter (SE $\frac{1}{4}$ ) and North Half (N $\frac{1}{2}$ ) of Southwest Quarter (SW $\frac{1}{4}$ ) and Northwest Quarter (NW $\frac{1}{4}$ ) of Southeast Quarter (SE $\frac{1}{4}$ ), except that tract lying South and East of the County road; and Southwest Quarter (SW $\frac{1}{4}$ ) of Northeast Quarter (NE $\frac{1}{4}$ ); and Northwest Quarter (NW $\frac{1}{4}$ ); all in Section Twenty-four (24); and Sub Two (2) of Northeast Quarter (NE $\frac{1}{4}$ ), Section Twenty-four (24), more particularly described as Sub Two (2) of the Northeast Quarter (NE $\frac{1}{4}$ ), being all that part of said Northeast Quarter (NE $\frac{1}{4}$ ) lying west of Clark's Creek (56.75 acres), also described as follows: Beginning at the Northwest corner of Northeast Quarter (NE $\frac{1}{4}$ ) of Section Twenty-four (24), Township Eleven (11), Range Six (6), and going south 1320 feet or to the 80 rod line; thence east 558 feet or to the center of Clark's Creek; thence down the center of the channel of said creek to the point where it crosses the north line of said Section Twenty-four (24); thence west on the section line to the point of beginning (56.75 acres, more or less); all of the above described land being in Township Eleven (11), Range Six (6), Geary County, Kansas, and being a total of approximately 435.25 acres; and

The South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$ ) of Section Thirty-five (35), Township Eleven (11) South, Range Six (6) East.

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Boller Farm

Boller Farm

A tract of land lying in the Southwest Quarter (SW 1/4) and the Southeast Quarter (SE 1/4) of Section Eleven (11), Township Twelve (12) South, Range Six (6) East of the 6th P.M. in Geary County, Kansas, and described as follows:

A. Lot Three (3) of the Southeast Quarter (SE 1/4) of Section Eleven (11), Township Twelve (12) South, Range Six (6) East, as shown by the plat and description thereof in the Book of "Irregular Descriptions", page 241 in the Register of Deeds Office of Geary County, Kansas, and more particularly described as follows:

Beginning ten (10) chains South of the center of Section Eleven (11), in Township Twelve (12) South, Range Six (6) East of the 6th P.M. and going thence East ten (10) chains; thence South 75 East three and one-half (3 1/2) chains; thence South 9 East three (3) chains and fifty-six (56) links; thence South 86 West fourteen (14) chains and eight (8) links; thence North five (5) chains and forty-three (43) links to the place of beginning, containing 6.35 acres, more or less.

B. A tract of land in the Southeast Quarter (SE 1/4) of Section Eleven (11), Township Twelve (12) South, Range Six (6) East of the 6th P.M. in Geary County, Kansas, more particularly described as follows:

Beginning at the center of said Section Eleven (11) and running thence East forty (40) rods, thence South twenty-eight (28) rods, thence West forty (40) rods, thence North twenty-eight (28) rods to the place of beginning, containing 7 acres, more or less, and being designated on the Plat of Irregular Descriptions as contained in the Register of Deeds Office of Geary County, Kansas, as Subdivision No. 1 of the Southeast Quarter (SE 1/4) of Section Eleven (11), Township Twelve (12) South, Range Six (6) East of Geary County, Kansas.

C. The Southwest Quarter (SW 1/4) of Section Eleven (11), Township Twelve (12) South, Range Six (6) East of the 6th P.M. in Geary County, Kansas less the following tracts of land which are separately conveyed to third parties:

1. The West One-Half (W 1/2) of the South One-Half (S 1/2) of the South One-Half (S 1/2) of the Southwest Quarter (SW 1/4)

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i. The West One-Half (W 1/2) of the South One-Half (S 1/2) of the South One-Half (S 1/2) of the Southwest Quarter (SW 1/4)

ii. The South One-Half (S 1/2) of the East One-Half (E 1/2) of the South One-Half (S 1/2) of the South One-Half (S 1/2) of said Southwest Quarter (SW 1/4)

iii. That portion of the North One-Half (N 1/2) of the East One-Half (E 1/2) of the South One-Half (S 1/2) of the South One-Half (S 1/2) of the Southwest Quarter (SW 1/4) which lies South of the center line of Clark's Creek

iv. That portion of the North One-Half (N 1/2) of the South One-Half (S 1/2) of the Southwest Quarter (SW 1/4) which lies South of the center line of Clark's Creek

v. That portion of the South One-Half (S 1/2) of the North One-Half (N 1/2) of the Southwest Quarter (SW 1/4) which lies South of the center line of Clark's Creek

vi. A tract of land lying in the Southwest Quarter (SW 1/4) of Section Eleven (11), Township Twelve (12) South, Range Six (6) East of the 6th P.M., in Geary County, Kansas, and described more particularly as follows:

From a one inch iron bar marking the Northwest corner of the Southwest Quarter (SW 1/4) of said Section Eleven (11), proceed South 950.80 feet along the West line of said Section Eleven (11) to a one-half inch iron bar and the POINT OF BEGINNING; thence North 89°02'40" East 330.23 feet a one-half inch iron bar; thence North 86°02'40" East 291.00 feet to a one-half inch iron bar; thence North 84°03'00" East 275.98 feet to a one-half inch iron bar; thence South 81°12'20" East 134.39 feet to a one-half inch iron bar; thence South 55°34'20" East 79.69 feet to a one-half inch iron bar; thence South 4°22'20" West 256.12 feet to a one-half inch iron bar; thence South 26°02'20" West 97.77 feet to the center of Clark's Creek; thence South 52°38'10" West 325.98 feet along the Center of Clark's Creek; thence South 61°50'25" West 661 feet along the center of Clark's Creek; thence South 37°08'29" West 206.05 feet along the center of Clark's Creek to the

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North line of the West Half (W 1/2) of the South Half (S 1/2) of the South Half (S 1/2) of the Southwest Quarter (SW 1/4) of said Section Eleven (11); thence West 64.60 feet along the North line of the West half (W 1/2) of the South Half (S 1/2) of the South Half (S 1/2) of the Southwest Quarter (SW 1/4) of said Section Eleven (11) to the West line of said Section Eleven (11); thence North 1028.77 feet along the West line of said Section Eleven (11) to the point of beginning, and containing 16.85 acres, more or less.

vii. An easement for access to and placement of a water well located on a tract of land described as follows: From the Northwest corner of the Southwest Quarter (SW 1/4) of said Section Eleven (11), proceed South 950.80 feet along the west line of said Section Eleven (11), thence North  $89^{\circ}02'40''$  East 330.23 feet, thence North  $86^{\circ}02'40''$  East 283.95 feet to the point of beginning of said easement, thence an easement eight (8) feet on each side of a line running North  $2^{\circ}39'40''$  East 108.00 feet, with the understanding that Roeser has no rights or obligations incident to this well.

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Rohrer Farm

## EXHIBIT "A"

Land in Section Thirty-four (34), Township Eleven (11) South, Range Six (6) East:

That part of Lot One (1) in Section Thirty-four (34) lying South of the County Road; Southeast Quarter (SE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section Thirty-four (34) lying South of the County Road; Northeast Quarter (NE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Thirty-four (34) all in Township Eleven (11), Range Six (6).

A tract of land in Lot 1 of Section Thirty-four (34), Township 11 South, Range 6 East described as follows: BEGINNING at the point of intersection of the East line of said Lot and the centerline of the Humboldt Creek Road; thence Northwesterly along said Road centerline 275 feet; thence Southwesterly at right angles 220 feet; thence Southeasterly to a point on the South line 115 feet West of the Southeast Corner of said Lot; thence East 115.0 feet to the East line of said lot; thence Northerly along said East line to the place of beginning. The above contains 2.17 acres, more or less, exclusive of said Humboldt Creek road.

A tract of land in the East Half of the Northeast Quarter of Section 34, Township 11 South, Range 6 East described as follows: BEGINNING at the point on intersection of the West line of said East Half of the Northeast Quarter Section and the centerline of the Humboldt Creek road; thence Southerly along said West line 1000 feet; thence Easterly at right angles to a point on said road centerline; thence Northwesterly along said road centerline to the place of beginning. The above contains 9.70 acres, more or less, exclusive of said Humboldt Creek road.

That part of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section Thirty-four (34), Township Eleven (11) South, Range six (6) East described as follows: Beginning at the Northeast corner of Section Thirty-four (34), Township Eleven (11), Range Six (6) and going South one-half mile on the Section line to the Humboldt Creek County Road; thence North and West along said road to the line of the Fort Riley Military Reservation; thence following the reservation line North to the North line of Section Thirty-four (34); thence East on the Section line to point of beginning.

Land in Section Thirty-five (35), Township Eleven (11) South, Range Six (6) East:

The Northwest Quarter (NW $\frac{1}{4}$ ) of Section Thirty-five (35), Township Eleven (11), Range Six (6) excepting the following described tract: Beginning at the Northeast corner of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Thirty-five (35), Township Eleven (11), Range Six (6) East; thence West 7.90 rods; thence in a straight line South and West to a point 14.50 rods West of the Southeast corner of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Thirty-five (35), Township Eleven (11), Range Six (6) East; thence East to the Southeast corner of said Northeast Quarter (NE $\frac{1}{4}$ ) of said Section Thirty-five (35); thence North Eighty (80) rods to place of beginning.

That part of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section Thirty-five (35), Township Eleven (11) South, Range Six (6) East described as follows: Beginning in the center of Section Thirty-five (35), Township Eleven (11), Range Six (6)

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## Schedule A, Item 4 continued

East and going West on center line of said Section to intersection of Humboldt County road; thence South and East in the center line of said road to center line of said Section Thirty-five (35); thence North to place of beginning.

North Half (N1/2) of the Southwest Quarter of Section Thirty-five (35) except part North of the County road; that part of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Thirty-five (35) Township Eleven (11), Range Six (6) bounded on the North by county road and on East by Center Line of Clarke's Creek, all in Township Eleven (11), Range six (6) .

All that part of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Thirty-five (35), Township Eleven (11), Range Six (6) East, lying West of a well constructed fence running North and South along a line described as follows; to-wit: Beginning at a point 72.04' West of northeast Corner of said Northwest Quarter (NW $\frac{1}{4}$ ); thence South 4 $^{\circ}$  34' West 1324.75' to the South line of the Northeast Quarter (NE $\frac{1}{4}$ ) of said Northwest Quarter (NW $\frac{1}{4}$ ).

## EXCEPT THE FOLLOWING TRACTS:

A tract of land in the North Half of the Southwest Quarter (N1/2SW $\frac{1}{4}$ ) of Section Thirty-five (35), Township Eleven (11) South (11S), Range Six East (6E) of the Sixth Principal Meridian, Geary County, Kansas specifically described and located as follows: Beginning at a point on the West line of the Southwest Quarter of said Section 35, said point being N0 $^{\circ}$ 20'12"W, 2401.77 feet from the Southwest corner of said Section 35, said point marked by a 1/2" x 2" iron rod driven flush with the wearing course of a public road; thence S82 25'10"E, 378.32 feet; thence S1 $^{\circ}$ 56'14"W 232.22 feet; thence S89 $^{\circ}$ 39'48"W, 365.50 feet to the West line of said Southwest Quarter; thence N0 $^{\circ}$ 20'12"W along the West line of said Southwest Quarter, 284.15 feet to the point of beginning, embracing 2.1957 acres, subject to a thirty foot (30') grant of right of way along the West line for public road use.

A tract of land in the North Half of the Southwest Quarter (N1/2SW $\frac{1}{4}$ ) of Section Thirty-five (35), Township Eleven South (11S), Range Six East (6E) of the Sixth Principal Meridian, Geary County, Kansas, specifically described and located as follows: Beginning at the Southwest corner of the North Half of the Southwest Quarter (N1/2SW $\frac{1}{4}$ ), said South One-Sixteenth corner (S 1/16) corner being marked by a 1/2" x 15" iron rod driven flush with the wearing course of Clark Creek Road; thence N0 $^{\circ}$ 20'12"W 302.55 feet; thence N89 $^{\circ}$ 39'48"E 342.87 feet; thence S65 $^{\circ}$ 42'17"E 689.90 feet; thence S0 $^{\circ}$ 20'12"E 15.00 feet; thence S89 $^{\circ}$ 39'48"W, along the South line of said North Half of the Southwest Quarter (N1/2 SW $\frac{1}{4}$ ), 970.00 feet to the Point of Beginning, embracing 4.6673 acres, subject to a 30 foot grant of right of way along the West line for public road use.

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## Schedule A, Item 4, continued

A tract of land in the North Half (N1/2) of Section Thirty-five (35), Township Eleven (11) South, Range Six (6) East described as follows: Beginning at a point on the North line of Section 35, Township 11 South, Range 6 East, said point being 130.35 feet West of the North 1/4 corner of said Section 35; thence South  $4^{\circ}34'$  West a distance of 30 feet to the South R/W line of a County highway; thence continuing South  $4^{\circ}34'$  West along a barb wire fence a distance of 1294.75 feet to a corner fence post (a T steel fence post 2 feet long driven on left side of corner post); thence S  $34^{\circ}19'$  West along a barb wire fence line a distance of 77.88 feet (T steel fence post 2 feet long driven on right side of Elm tree); thence South  $38^{\circ}28'$  West along a barb wire fence line a distance of 562.3 feet to a corner fence post (a T steel fence post 2 feet long driven on left side of corner post); thence South  $55^{\circ}33'$  West along a barb wire fence line a distance of 196.8 feet to a corner fence post (a T steel fence post 2 feet long driven on left side of corner post); thence South  $70^{\circ}53'$  West along a barb wire fence line a distance of 336.34 feet to a corner fence post (a T steel fence post 2 feet long driven on left side of corner post); thence North  $67^{\circ}47'$  West along a barb wire fence line a distance of 538.4 feet to the Easterly line of a travel way; thence continuing on same bearing a distance of 37.11 feet across travel way to a barb wire fence (T steel fence post 2 feet long driven in mouth of cattle pass culvert); thence North  $3^{\circ}37'$  East along a barb wire fence a distance of 85 feet to a corner post (T steel fence post 2 feet long driven on left side of fence post); thence North  $15^{\circ}34'$  East along barb wire fence line a distance of 262.8 feet to a corner fence post (T steel post 2 feet long driven on left side of corner fence post); thence North  $19^{\circ}47'$  East along a barb wire fence line a distance of 447.5 feet to a T steel fence post 2 feet long driven on right side of utility pole; thence North  $64^{\circ}44'$  West a distance of 26 feet to a corner fence post (T steel fence post 2 feet long driven on right side of corner fence post); thence North  $20^{\circ}41'$  East along barb wire fence line a distance of 147.5 feet to a T steel fence post 2 feet long; thence North  $66^{\circ}07'$  West along a corral fence line a distance of 34.15 feet to a concrete corner post (T steel fence post 2 feet long driven on right side of concrete corner post); thence North  $23^{\circ}04'$  East along a corral fence and also along East side of small building a distance of 88.45 feet to the Northeast Corner of small building (a T steel fence post 2 feet long driven on right side of Northeast Corner of small building); thence North  $67^{\circ}02'$  West along North side of small building a distance of 16.52 feet to the Northwest Corner of small building (T steel fence post 2 feet long driven on right side of Northwest Corner of small building); thence North  $23^{\circ}01'$  East along barb wire fence a distance of 91.75 feet to a corner fence post (T steel fence post 2 feet long driven on right side of corner post); thence North  $57^{\circ}17'$  West along barb wire fence line a distance of 313.15 feet to a corner fence post (a T steel fence post 2 feet long driven on left side of corner post); thence North  $00^{\circ}01'$  West along a barb wire fence a distance of 482.74 feet to a T steel fence post 2 feet long driven on South R/W line of County highway; thence continuing North  $00^{\circ}01'$  West a distance of 30 feet to a point on North line of Section 35, Township 11 South, Range 6 East; thence East along the North line of Section 35, Township 11 South, Range 6 East, a distance of 1520.85 feet to the point of beginning, containing 54.413 acres more or less.

Also, a perpetual easement for travel described as follows: Beginning at the most South and West point of the above described land, said point shown on Plat, and

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## Schedule A, Item 4 continued

said point being marked by a T steel fence post 2 feet long driven in the mouth of cattle pass culvert; thence South  $3^{\circ}16'$  West along westerly line of said easement now marked by a barb wire fence a distance of 98.45 feet; thence South  $2^{\circ}42'$  East along westerly line of said easement, now marked by a barb wire fence a distance of 705 feet to the northerly R/W line of Humboldt Valley County Road; thence South  $00^{\circ}53'$  East along the said road a distance of 37 feet; thence northerly parallel to the described westerly line of said easement and 37 feet therefrom to the southerly line of the above described land; thence North  $67^{\circ}47'$  West along said southerly line to point of beginning. Said described easement is now traveled, and is now a part of R.F.D. No 2 out of Junction City, Kansas

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5-acre waterway

A tract of land in the North Half of the Southwest Quarter ( $N\frac{1}{2}SW\frac{1}{4}$ ) of Section Thirty-Five (35), Township Eleven South (11S), Range Six East (6E) of the Sixth Principal Meridian, Geary County, Kansas, specifically described and located as follows:

Beginning at the Southwest corner of the North Half of the Southwest Quarter ( $N\frac{1}{2}SW\frac{1}{4}$ ), said South One-Sixteenth corner ( $S\frac{1}{16}$ ) corner being marked by a  $\frac{1}{2}$ "x15" iron rod driven flush with the wearing course of Clark Creek Road; thence N  $0^{\circ}20'12''$  W 302.55 feet; thence N  $89^{\circ}39'48''$  E 342.87 feet; thence S  $65^{\circ}42'17''$  E 689.90 feet; thence S  $0^{\circ}20'12''$  E 15.00 feet; thence S  $89^{\circ}39'48''$  W, along the South line of said North Half of the Southwest Quarter ( $N\frac{1}{2}SW\frac{1}{4}$ ), 970.00 feet to the Point of Beginning, embracing 4.6673 acres, subject to a 30-foot grant of right of way along the West line for public road use.

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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, Secretary

Laura Kelly, Governor

March 16, 2020

RICHARD ROESER  
13408 CLARKS CREEK RD  
JUNCTION CITY KS 66441-7824

RE: Application, File No. **50361**

Dear Mr. Becker:

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](http://agriculture.ks.gov/divisions-programs/dwr). If you have any other questions, please contact our office at 785-564-6640 or your local Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

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

Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program

**DATA ENTRY SYSTEM ID NUMBER SHEET**

FILE NUMBER 50361

APPLICANT PERSON ID & SEQ #	PDIV ID	BATTERY ID
<u>61032</u>	<u>87985</u>	

LANDOWNER PERSON ID & SEQ #	PUSE ID
<u>38179</u>	
<u>24782</u>	
<u>67193</u>	

WATER USE CORRESPONDENT  
PERSON ID & SEQ #  
61032

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