

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.

Creek
8
340

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 50,033
This item to be completed by the Division of Water Resources.

APPLICATION FOR PERMIT TO
APPROPRIATE WATER FOR BENEFICIAL USE
Filing Fee Must Accompany the Application
(Please refer to Fee Schedule attached to this application form.)

Water Resources
Received
APR 09 2018
11:11
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): Roy R Bussing
Address: 1083 29th Rd
City: Axtell State KS Zip Code 66403
Telephone Number: (785) 736 2766

2. The source of water is: surface water in unnamed tributary to North fork Black Vermillion #39410
(stream)
OR groundwater in _____
(drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 480 acre-feet OR _____ gallons per calendar year,
to be diverted at a maximum rate of 1000 gallons per minute OR _____ cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for (Check use intended):
(a) Artificial Recharge (b) 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-~~(YES/NO)~~ Use FRR Source G(S) County MS By AW Date 4/9/18
Code RE3 Fee \$ 340 TR # _____ Receipt Date 4/9/18 Check # 1078

4/11/2018 WCM

5. The location of the proposed wells, pump sites or other works for diversion of water is:

Note: For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

(A) One in the NE quarter of the NE quarter of the NE quarter of Section 27, more particularly described as being near a point 330 feet North and 100 feet West of the Southeast corner of said section, in Township 2 South, Range 10 East West (circle one), Marshall 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 _____ S _____ County, Kansas.

(C) One in the _____ quarter of _____, more particularly described as being near a point _____ Southeast corner of said section, in Township _____ County, Kansas.

(D) One in the _____ quarter of _____, more particularly described as being near a point _____ Southeast corner of said section, in Township _____ County, Kansas.

If the source of supply is ground wells, except that a single application for the same local source of supply

A battery of wells is defined as four wells in the same local source not to exceed a total maximum distribution system.

Ft distances don't match map. Going off map for stream. We'll fix the Ft distances after talking w/ applicant.

Ally

proposed well or battery of a quarter (1/4) mile radius in gallons per minute per well.

a manifold; or not more than being operated by pumps supply water to a common

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

Same
(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 4/6, 2018. RRB
Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

7. The proposed project for diversion of water will consist of 1 Pump
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) Dec 1st 2018
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be Apr 1st 2019
(Mo/Day/Year)

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KS Dept Of Agriculture

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.

10A 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.

None -

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13A

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

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

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	_____	_____	_____	_____
Total depth of well	_____	_____	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	_____	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

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

owner/tenant
(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):

Roger H Buesing 2920 Jayhawk Rd Axtell KS 66403 785-736-2303
(name, address and telephone number)

Richard Buesing 1087 30th Rd Axtell KS 66403
(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at Hiawatha, Kansas, this 6 day of April, 2018.
(month) (year)

RRB
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by Keith Grimm MWT Date: 4/6/18
(office/title)

Water Resources
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APR 09 2018

KS Dept Of Agriculture

IRRIGATION USE SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): Roy R Buessing

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: Roy R Buessing
ADDRESS: 1083 29th Rd Arnett KS 66403

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
22	2s	10E														40	40	40	40	160
27	2s	10E	40	40																80

240

Landowner of Record NAME: Roger H Buessing
ADDRESS: 2920 Jayhawk Rd Arnett KS 66403

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
23	2s	10E								40	40	40	40							160

480 Total

Landowner of Record NAME: Richard Buessing
ADDRESS: 1087 30th Rd Arnett KS 66403

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
27	2s	10E			40	40														80

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Buessing Roy, Richard and Roger

Pond Drainage Basin 98acres

Creek site is pump station to fill pond

½ mile upstream and downstream

KOHAKE, FRANK J & MARILYN R
1181 29TH RD AXTELL, KS 66403

ROTTINGHAUS, DONNA J TRUST
2926 INDIAN RD AXTELL, KS 66403

Water Resources
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APR 09 2018

KS Dept Of Agriculture

NEW STREAM WORKSHEET

ES AW

Date: 4/9/18

File No. _____

Basin Name: Black Vermillion Rwy Basin No. 14

Stream Name: North Fork Black Vermillion Trib 10A

Stream location (confluence with parent stream):

Section 27, Township 2 South, Range 1 (East)

Map Color Coding:

Basin Stream – Blue

Named Main Stream off Basin Stream – Yellow

Named Stream off Main Stream – Green

Unnamed Trib (1, 2, 3, 4, etc.) – Pink

Unnamed Trib to Unnamed Trib (A, B, C, etc.) – Orange

Unnamed Trib to Unnamed Trib to Unnamed Trib (1, 2, 3, etc.) – Purple

Stream No. 3940 (computer assigned - entered by data entry staff)

Date Entered 4/11/2018 By LCM

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

April 10, 2018

ROY R BUESSING
1083 29TH RD
AXTELL KS 66403

RE: Application
File No. 50033

Dear Sir or Madam:

Your application for permit to appropriate water in 27-2S-10E in Marshall County, was received and has been assigned the file number noted above.

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

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

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

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

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

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

Sincerely,

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: TOPEKA Field Office
GMD

S22-T2S-R10E

S23-T2S-R10E

Roy Buessing

Roger Buessing

Creek Pump site 330ft North and 100ft West

1130ft west and 530ft north

Jayhawk Rd

Richard Buesign

S27-T2S-R10E

9th Rd

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Google Earth
Earth Point

Water Resources
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APR 09 2010
KS Dept. Of Agriculture

1991

Imagery Date: 10/19/2014 39°51'22.04" N 96°16'32.34" W elev 1302 ft eye alt 9494 ft

S22-T2S-R10E

S23-T2S-R10E

Roy Buessing

Roger Buessing

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Creek Pump stite 330ft North and 100ft West

1,130ft west and 530ft north

Jayhawk Rd

Richard Buesign

S27-T2S-R10E

29th Rd

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Google Earth
Earth Point

1991

Imagery Date: 10/19/2014 39°51'22.04" N 96°16'32.34" W elev. 1302 ft eye alt. 9494 ft