

File No. 50,200	15. Formation Code:	Drainage Basin: SPRING RIVER	County: CR	Special Use:	Stream: FIRST COW CREEK TRIB 4 (SPRING)																
16. Points of Diversion <input checked="" type="checkbox"/> MOD DEL PDIV ENT Qualifier S T R ID 'N 'W			17. Rate and Quantity MOD ADDL QTY Authorized Additional Rate gpm Quantity af Rate gpm Quantity af Overlap PD Files																		
<input checked="" type="checkbox"/> 77319 SE SE SE 13 29 24E 1 290 223			2000 620 2000 538 47,525																		
18. Storage: Rate NF Quantity 654 ac/ft Additional Rate NF Additional Quantity 453 ac/ft																					
19. Limitation: 620 af/yr at _____ gpm (_____ cfs) when combined with file number(s) 47,525 FOR DIRECT IRR USE Limitation: 654 af/yr at _____ gpm (_____ cfs) when combined with file number(s) 47,525 (STORAGE)																					
20. Meter Required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No To be installed by 12/31/2020 Date Acceptable Meter Installed _____																					
21. Place of Use <input checked="" type="checkbox"/> MOD DEL ENT PUSE S T R ID		NE¼ NE ¼ NW ¼ SW ¼ SE ¼				NW¼ NE ¼ NW ¼ SW ¼ SE ¼				SW¼ NE ¼ NW ¼ SW ¼ SE ¼				SE¼ NE ¼ NW ¼ SW ¼ SE ¼				Total	Owner	Chg? YES/NO	Overlap Files
<input checked="" type="checkbox"/> 64924 13 29 24E 1		40				11				3				40	37	117	7a.	YES	47,525		
<input checked="" type="checkbox"/> 69273 13 29 24E 2		40				11				3				40	6	100	7d.	NO	47,525		
<input checked="" type="checkbox"/> 61028 18 29 25E 1		5 27				40 40 40 40				40 38 22 31				39		362	7a.	YES	47,525		
<input checked="" type="checkbox"/> 69274 18 29 25E 2														36		36	7e.	NO	47,525		
<input checked="" type="checkbox"/> 69275 18 29 25E 3		5														5	7c.	NO	47,525		
Comments:																					

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
M E M O R A N D U M

TO: Files

DATE: April 3, 2019

FROM: Doug Schemm

RE: Application, File No. 50,200

Joe Lallemand has filed the application referred to above for a permit to appropriate 654 acre-feet of surface water at the rate of natural flows to be stored in an existing reservoir located in the Southeast Quarter of Section 13, in Township 29 South, Range 24 East, Crawford County, Kansas. The dam is located on a tributary to First Cow Creek, in the Spring River basin. The point of diversion is located on property owned by the applicant, and the application form has been signed stating they have legal access to the point of diversion. The place of use is owned by the applicant, with portions owned by Kenneth & Carol Biancarelli, John & Dorothy Nepote, and Ronald Webb, and it comprises a total of 620 acres. File No. 47,525 overlaps in point of diversion, and will overlap in place of use after change in place of use is processed.

Runoff computations determined that the 314 acre drainage area will provide for 654 acre-feet (25") of runoff in 1 out of every five (5) years (a 20% chance). Therefore, per K.A.R. 5-6-5, the runoff quantity is the limiting factor, and the application was processed with the requested maximum of 654 acre-feet. The proposed direct use quantity of 620 acre-feet, is equivalent to 5.3 times the capacity of the reservoir (116 AF), which is slightly above the normal "rule of thumb" of direct use quantity being no more than 5 times capacity for reasonable storage quantity, however it's still reasonable.

File No. 47,525 is authorized 201 acre-feet of storage and 82 acre-feet of direct use. The pending application is requesting 654 acre-feet of storage and 620 acre-feet for direct irrigation use on 620 acres. The maximum allowable per acre in Crawford County, Kansas is 1.0 AF/acre, per K.A.R. 5-3-24, or in this instance it would be 620 acre-feet. Therefore, File No. 50,200 will be limited to 620 acre-feet when combined with File No. 47,525 for direct irrigation use, providing 538 acre-feet of additional water, and the new application will be limited to 654 acre-feet of storage with the senior file based on runoff potential, providing 453 acre-feet of additional storage.

The applicant identified one downstream landowner within one-half (½) mile of the property lines, and the applicant owns all upstream property. A nearby landowner letter was sent out on February 20, 2019, and no response of any kind was received. There are no other surface water rights within a two-mile radius according to the WRIS database. No senior water rights will be impaired with approval of this application.

The proposed structure is already permitted by DWR Water Structures Program, under File No. DCR-0107. As allowed by K.S.A. 82a-706(c) an approved water flow meter shall be installed on the secondary diversion works (pump site) for this file. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. Since this is an existing reservoir, no Special Condition will be needed to provide an initial fill quantity.

In a March 7, 2019 discussion, Katie Tietsort, Water Commissioner, Topeka Field Office, stated that the referenced new application should be approved. Based on the above discussion, that this area is open to new appropriations, the proposed appropriation of water is reasonable, the dam is already permitted by the DWR Water Structures Program, and senior rights will not be impacted, it is recommended that the referenced new application be approved, in conjunction with the proposed change in place of use on the senior file.

Doug Schemm
Environmental Scientist
Topeka Field Office

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, Acting Secretary

Laura Kelly, Governor

April 12, 2019

JOE & KRISTI LALLEMAND
138 S 130TH ST
GIRARD KS 66743

FILE COPY

RE: Appropriation of Water, File No. 50,200

Dear Mr. and Mrs. Lallemand:

Enclosed is a permit authorizing you to proceed with construction of the proposed diversion works and to appropriate water for beneficial use as set forth in the permit. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in this permit.

Notice must be filed on the enclosed form once the diversion works have been completed. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of this permit. If you need an extension of time, you must request it before the deadline for completion set forth in the permit. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00.

An acceptable water flowmeter must be installed on the re-diversion works authorized by this permit prior to using water. An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year. If a complete annual water use report is not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your report online at www.kswaterusereport.org.

The approval of your application constitutes a permit to appropriate water. It does not give authority to construct any dam or other stream obstruction regulated by K.S.A. 82a-301 through 305a. It does not give authority to access any right-of-way or authorize trespassing upon or injury to public or private property. It may also be necessary for you to comply with other local, state or federal requirements.

Enclosed is an informational sheet that sets forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your perfected water right. Additional information and applicable forms may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any questions or need assistance with any of these requirements, please contact our office at 785-564-6640 or your local Topeka Field Office at 785-296-5733. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum
New Application Unit Supervisor
Division of Water Resources

KAB:dws
Enclosure(s)

pc: Topeka Field Office
Ronald Webb
Kenneth & Carol Biancarelli
John & Dorothy Nepote

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Acting 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. 50,200** of the applicant

**JOE & KRISTI LALLEMAND
138 S 130TH ST
GIRARD KS 66743**

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 18, 2019**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13	29S	24E			40	40					11			3	40	40	6	37	217
18	29S	25E		10	27		40	40	40	40	40	38	22	31		39	36		403

3. That the appropriation sought shall be limited to all natural flows of an unnamed tributary to First Cow Creek, designated in the office of the Chief Engineer as First Cow Creek Trib 4 (Spring), not needed to satisfy all vested rights and prior appropriation rights to be incrementally accumulated as reservoir storage space becomes available to a maximum extent of **654 acre-feet** per calendar year in one (1) reservoir created by a dam located in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE¼ SE¼ SE¼) of Section 13, more particularly described as being near a point 290 feet North and 223 feet West of the Southeast corner of said section, in Township 29 South, Range 24 East, Crawford County, Kansas, to provide **620 acre-feet** of water as needed for direct irrigation use to be withdrawn, released or otherwise diverted from the reservoir at a re-diversion rate of approximately **2,000 gallons per minute (4.46 c.f.s.)**. A reasonable maximum re-diversion rate will be established during the perfection period and assigned at certification.

4. That installation of works for diversion of water shall be completed on or before **December 31, 2020** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee, which is currently \$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, which is currently \$100.00.

5. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2024** 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, which is currently \$100.00.

6. 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.

7. 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.

8. 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.

9. 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.

10. That all re-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 re-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.

11. That an acceptable water flow meter shall be installed and maintained on the re-diversion works authorized by this permit in accordance with the 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).

12. 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.

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

14. 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.

15. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

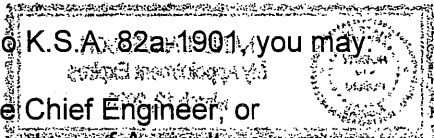
16. That the quantity of water approved under this permit is further limited to the quantity which combined with Water Right, File No. 47,525, will provide a **total not to exceed 620 acre-feet** of water per calendar year **for direct irrigation use** from the point of diversion described herein.

17. That the quantity of water approved for storage under this permit is further limited to the storage quantity, which combined with Water Right, File No. 47,525, for the specific reservoir described herein, will provide a **total not to exceed 654 acre-feet** of water per calendar year for storage of water.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.



Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 50200
This item to be completed by the Division of Water Resources.

Water Resources
Received

APPLICATION COMPLETE
3/7/19
REVIEWER: KAB

**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.)

JAN 18 2019
12:25
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): Joe Lallemand
Address: 138 S 130th St
City: Girard State KS Zip Code 66743
Telephone Number: (620) 249-8882

2. The source of water is: surface water in First Cow Creek Trib 4 (Spring River Basin)
(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 654 AF (storage) 620 AF (direct use) per calendar year,
to be diverted at a maximum rate of All natural flows (storage) 2000 gpm (rediverted).

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:		Meets K.A.R. 5-3-1 (YES / NO) Use <u>RR</u>		Source <u>G S</u> County <u>CR</u>		By <u>DAW</u> Date <u>1/18/19</u>	
F.O. Code	<u>GMD 0</u>	Fee \$ <u>300</u>	TR # _____	Receipt Date	<u>1/18/19</u>	Check #	<u>5583</u>

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 SE quarter of the SE quarter of Section 29, ^{13* per site map} more particularly described as being near a point 290 feet North and 223 feet West of the Southeast corner of said section, in Township 29 South, Range 24 East, Crawford 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):

Applicant

 (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 17th, 2019. X Leonard L. Hale
 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 One dam & reservoir with various sprinkler systems and was completed (by) 9/10/12
(number of wells, pumps or dams, etc.)
(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 9/10/12
(Mo/Day/Year)

Water Resources
 Received
 JAN 18 2019
 KS Dept Of Agriculture

THE STATE  OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 50200
This item to be completed by the Division of Water Resources.

Water Resources
Received

**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.)

JAN 18 2019
12:25
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): Joe Lallemand
Address: 138 S 130th St
City: Girard State KS Zip Code 66743
Telephone Number: (620) 249-8882

2. The source of water is: surface water in First Cow Creek Trib 4 (Spring River Basin)
(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 654 AF (storage) 620 AF (direct use) per calendar year,
to be diverted at a maximum rate of All natural flows (storage) 2000 gpm (rediverted)

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. Code	<u>6MD</u>	Meets K.A.R. 5-3-1 (YES/NO)	Use <u>RR</u>	Source <u>G/S</u> County <u>CR</u>	By <u>DAW</u> Date <u>1/18/19</u>
	<u>253</u>	Fee <u>\$300</u>	TR # _____	Receipt Date <u>1/18/19</u>	Check # <u>5583</u>

1/12/2019 CW

- 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 #DCR-0107
- 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.

This file will share a complete overlap in point of diversion and place of use with a File No. 47525. An application to change the place of use for File No. 47525 is being filed concurrently.

Water Resources
Received

JAN 18 2019

SCANNED
KS Dept Of Agriculture

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


Owner and/or 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):

- Joe & Kristi Lallemand, 138 S 130th St, Girard, KS 66743
(name, address and telephone number)
- Kenneth L & Carol S Biancarelli, 510 E 590th Ave, Pittsburg, KS 66762
(name, address and telephone number)
- John Joseph & Dorothy Colleen Nepote, 613 W Leighton St, Frontenac, KS 66763
(name, address and telephone number)
- Ronald W Webb, 509 W 3rd St, Franklin, KS 66735
(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 _____, Kansas, this _____ day of _____, (month) (year)


(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by Caleb Fabrycky TFO - Parsons Water Resources
(office/title)

Date: 1/8/19
Received
JAN 18 2019
KS Dept Of Agriculture
SCANNED

IRRIGATION USE SUPPLEMENTAL SHEET

File No. 50200

Name of Applicant (Please Print): Joe Lallemand

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: Joe & Kristi Lallemand

ADDRESS: 138 S 130th St, Girard, KS 66743

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
13	29S	24E				40										40				37	117
18	29S	25E		5	27		40	40	40	40	40	38	22	31			39				362
																					479

Landowner of Record NAME: Kenneth L & Carol S Biancarelli

ADDRESS: 510 E 590th Ave, Pittsburg, KS 66762

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
13	29S	24E			40								11				3		40	6	100

Landowner of Record NAME: John Joseph & Dorothy Colleen Nepote

ADDRESS: 613 W Leighton St, Frontenac, KS 66763

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
18	29S	25E																	36		36

Landowner of Record NAME: Ronald W Webb

ADDRESS: 509 W 3rd St, Franklin, KS 66735

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
18	29S	25E		5																	5

Water Resources
Received

JAN 18 2010

KS Dept Of Agriculture
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Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, KS 66619



Phone: 785-296-5733
Fax: 785-296-8298
www.agriculture.ks.gov

Mike Beam, Acting Secretary

Laura Kelly, Governor

February 20, 2019

WOOD REVOCABLE LIVING TRUST
515 PEARL ST
PITTSBURG KS 66762

Re: Pending New Application, File No. 50,200 and
Change Application, Water Right, File No. 47,525 (Place of Use)

Dear Sir or Madam:

This is to advise you that Joe Lallemand has filed the new application referred to above for a permit to appropriate 654 acre-feet of surface water per calendar year to be stored in **an existing reservoir**, and re-divert 620 acre-feet of the stored water for irrigation use. The pending change application for File No. 47,525 will increase its authorized place of use to match the expanded, new application irrigation project. The proposed point of diversion (where the dam crosses the centerline of the stream) is located in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 29, in Township 29 South, Range 24 East, Crawford County, Kansas.

Records in this office indicate that you own land along the stream in this vicinity and you are being notified of receipt of these applications 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 new and change applications and site maps posted by the file numbers 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,

A handwritten signature in black ink that reads "Doug Schemm".

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Joe Lallemand

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A

50200 00

#####

No other water rights in 2 miles.

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A

50200 00 IRR

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

290 Feet North and 223 Feet West of the Southeast Corner of Section 13 T 29S R 24E

SURFACE WATER ONLY

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=====
File Number   Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth_Quan Add_Quan Unit
A__ 47525 00 IRR NK S*      0 -- SE SE SE 290 223 13 29 24E 1      82.00 82.00 AF
A__ 50200 00 IRR AY S      0 -- SE SE SE 290 223 13 29 24E 1      620.00 620.00 AF
=====

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Total Net Quantities Authorized:   Direct           Storage
Total Requested Amount (AF) =      620.00          654.00
Total Permitted Amount (AF) =           .00           .00
Total Inspected Amount (AF) =           .00           .00
Total Pro_Cert Amount (AF) =           .00           .00
Total Certified Amount (AF) =          82.00          201.00
Total Vested Amount (AF) =             .00           .00
TOTAL AMOUNT (AF) =          702.00          855.00
=====

```

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:

290 Feet North and 223 Feet West of the Southeast Corner of Section 13 T 29S R 24E

SURFACE WATER ONLY

WATER USE CORRESPONDENTS:

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=====
File Number   Use ST SR
A__ 47525 00 IRR NK S
> JOE & KRISTI LALLEMAND
>
> 138 S 130TH ST
> GIRARD KS 66743
>-----
A__ 50200 00 IRR AY S
> JOE & KRISTI LALLEMAND
>
> 138 S 130TH ST
> GIRARD KS 66743
>-----
=====

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#####

Property Details for PID: 0191261300000030000

QuickRef ID : R6095

Owner Name : LALLEMAND, JOE & KRISTI (Bought all CuKjati Trust Land)

Location: 171 N 210TH STREET, Franklin, KS 66735

Abbreviated Boundary Description: S13, T29, R24, ACRES 120.2, SE1/4 NE1/4 AND E1/2 SE1/4, LESS ROW.

Owner Information:

Owner LALLEMAND, JOE & KRISTI

Mailing Address 138 S 130TH ST GIRARD, KS 66743

Property Information:

Type Agricultural Use

Status Active

Taxing Unit 070

Neighborhood Code 001.0

Secondary Address Details

Address 171 N 210TH STREET, Girard, KS 66743

Market Land Details:

Actual Width: 0

Property Details for PID: 0191141800000001000

QuickRef ID : R4948

Owner Name : LALLEMAND, JOE & KRISTI - (Bought all Cukjati Trust Land)

Location: 00000 E HWY 47, Franklin, KS 66735

Abbreviated
Boundary
Description: S18, T29, R25, ACRES 370.1, BEG 72.63' N SW
COR, TH N 5,198' (S), E 2,750' (S), S 1940' (S), E
725' (S), SELY ALONG HWY ROW 1,170 '(S), SLY
1,440' (S), W 1340' (S), S 671' (S), W 2073' (S),
NWLY 31.3', W 142.41', TO POB, LESS W 467' OF
N 467' OF E1/2 GOVT LOT 4

Owner Information:

Owner LALLEMAND, JOE & KRISTI

Mailing Address 138 S 130TH ST GIRARD, KS 66743

Property Information:

Type Agricultural Use

Status Active

Taxing Unit 070

Neighborhood
Code 001.0

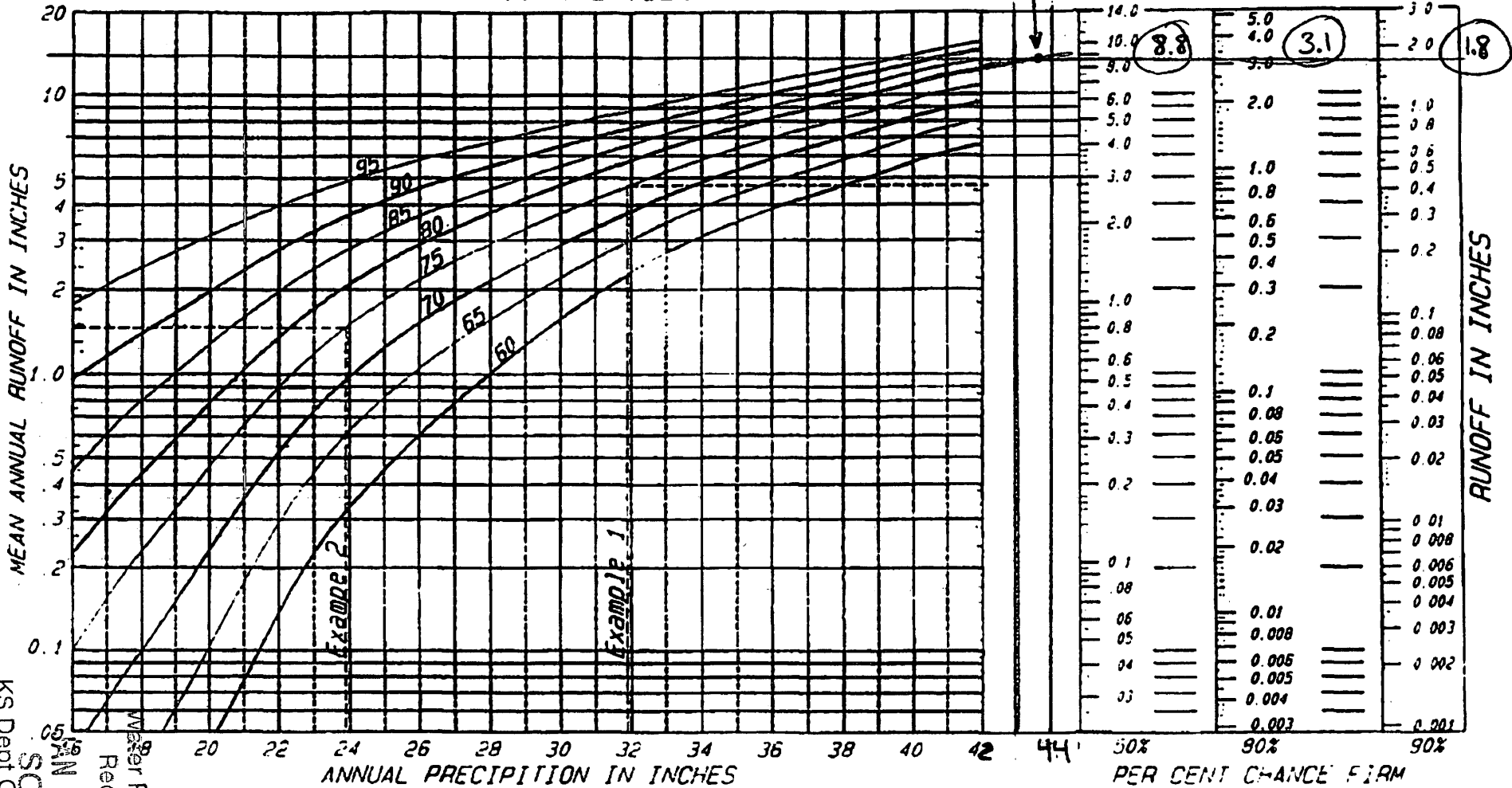
No Secondary Address Details found

Market Land Details:

JOE LALLEMAND NEW APP

43.65" @ SOIL COMPLEX 80

ANNUAL YIELD OF RUNOFF



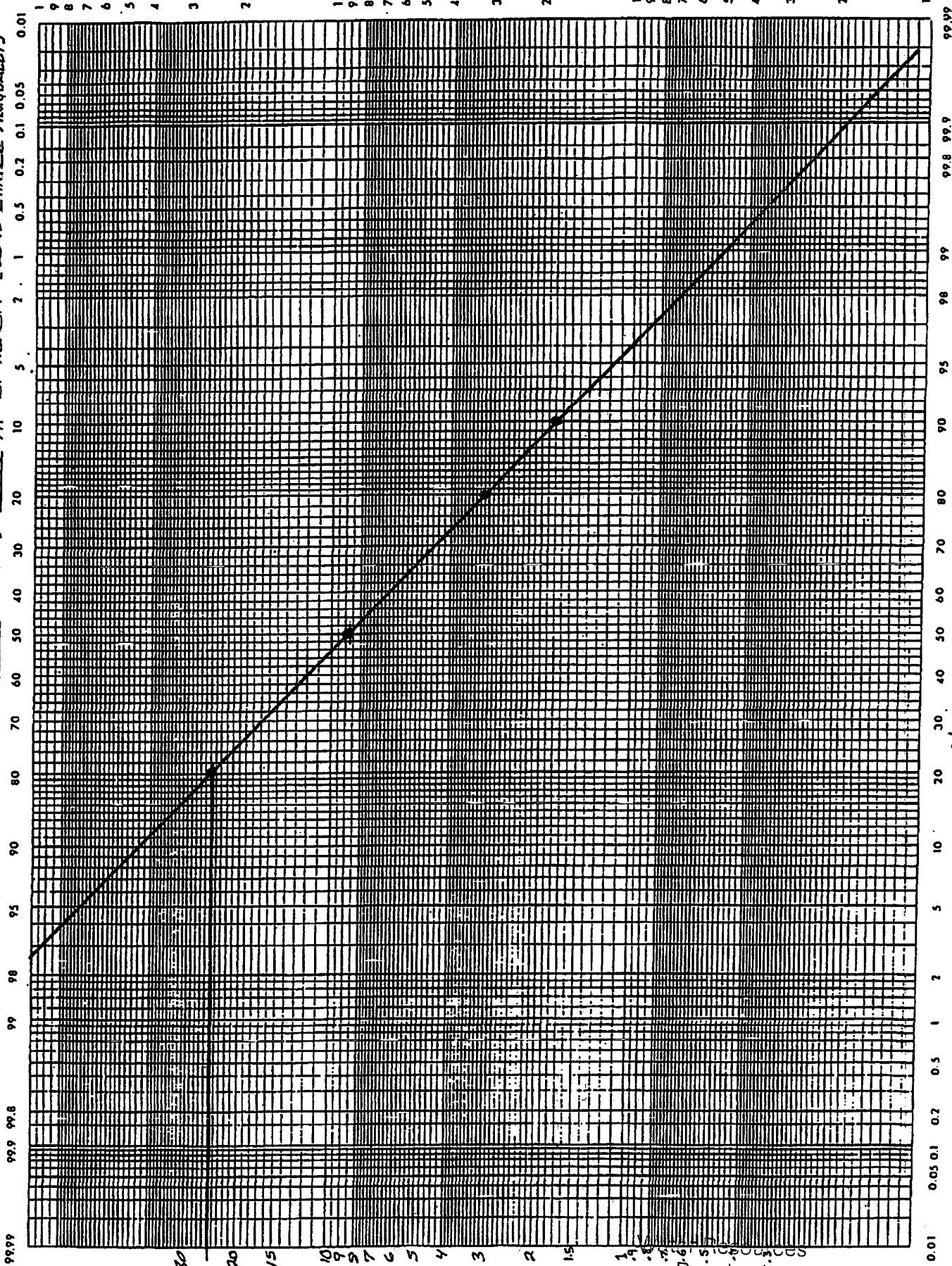
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United States department of agriculture, natural resources conservation service, nation
 engineering handbook series, part 650, engineering field handbook.

50220

50200

JOE LALLEMAND
 NEW APP
 FILE No. _____
 314 ACRES IN DRAINAGE x 25 " = 7850 " / 12 " ⇒ 654 AF OF RUNOFF (20% CHANGE ANNUALLY)
 SOIL: "80"
 PRECIP: 43.65" { 217 ACRES @ 43" INCHES RUNOFF / ACRE: 25 " }
 403 ACRES @ 44"



PREPARED BY:

CHANCE

JAN 18 2019 SCANNED

GRAPH PAPER From Your COPIER - HPBooks
KS Dept Of Agriculture

KUNDT IN INCHES

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



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

Mike Beam, Interim Secretary

Laura Kelly, Governor

January 18, 2019

JOE LALLEMAND
138 S 130TH ST
GIRARD, KS 66743

RE: Application, File No. **50200**

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 "Kristen A. Baum".

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

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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 SE quarter of the SE quarter of Section 29, more particularly described as being near a point 290 feet North and 223 feet West of the Southeast corner of said section, in Township 29 South, Range 24 East, Crawford 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):

Applicant _____
(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 17th, 2019. X Leonard L. Hale
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 One dam & reservoir with various sprinkler systems
(number of wells, pumps or dams, etc.)
and was completed (by) 9/10/12
(Month/Day/Year - each was or will be completed)

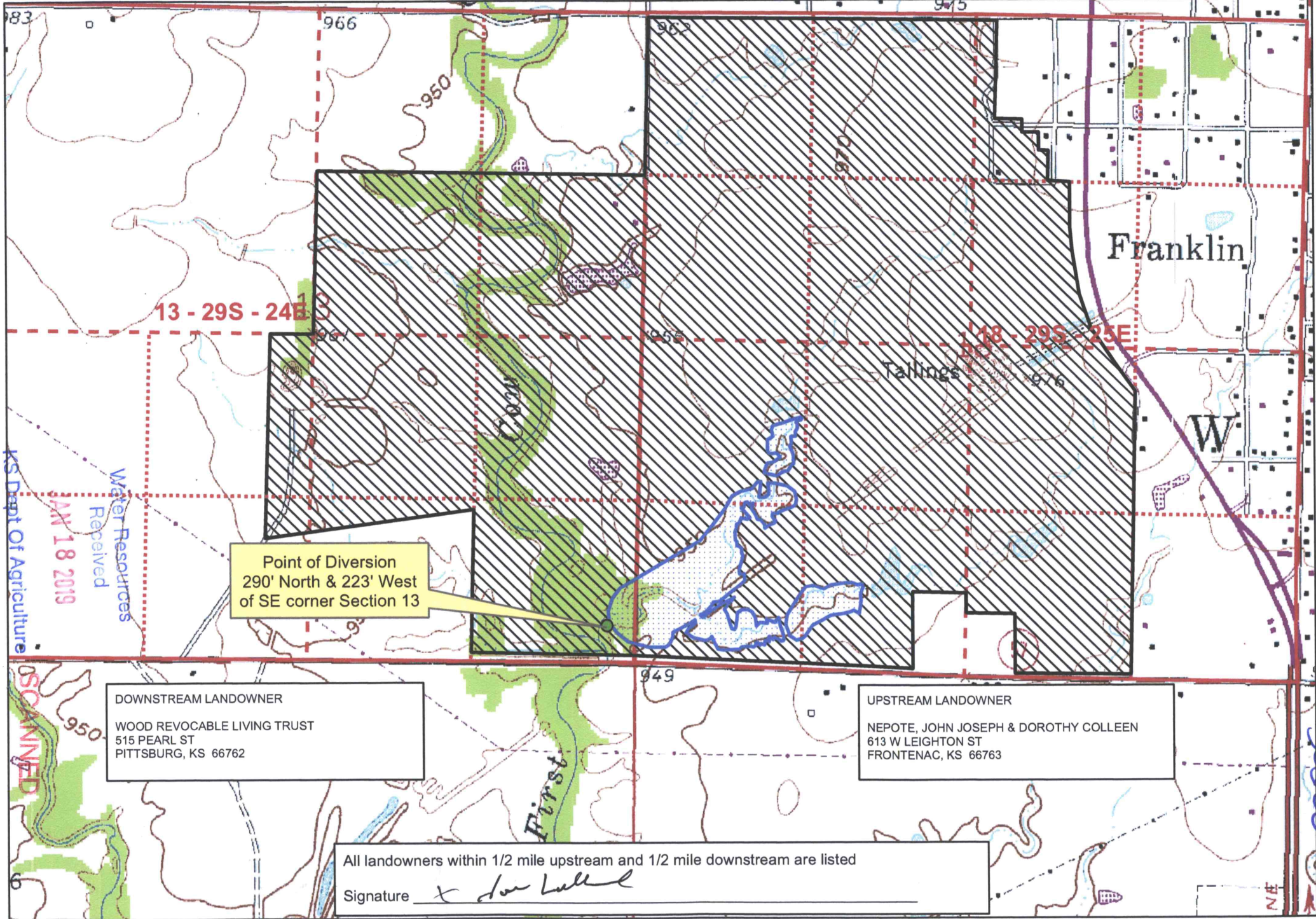
8. The first actual application of water for the proposed beneficial use was or is estimated to be 9/10/12
(Mo/Day/Year)

Water Resources
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JAN 18 2019

1:12,000

Joe Lallemand - New Application



13 - 29S - 24E

18 - 29S - 25E

Franklin

Tailings

W

Point of Diversion
290' North & 223' West
of SE corner Section 13

DOWNSTREAM LANDOWNER
WOOD REVOCABLE LIVING TRUST
515 PEARL ST
PITTSBURG, KS 66762

UPSTREAM LANDOWNER
NEPOTE, JOHN JOSEPH & DOROTHY COLLEEN
613 W LEIGHTON ST
FRONTENAC, KS 66763

All landowners within 1/2 mile upstream and 1/2 mile downstream are listed
Signature *x Joe Lallemand*

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JAN 18 2019

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cccs

NE