

# 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.

Submit To: CHIEF ENGINEER  
 Division of Water Resources  
 Kansas Department of Agriculture  
 1320 Research Park Drive  
 Manhattan, Kansas 66502  
 http://agriculture.ks.gov/dwr

**APPLICATION FOR APPROVAL TO  
 CHANGE THE PLACE OF USE, THE  
 POINT OF DIVERSION OR THE USE  
 MADE OF THE WATER UNDER AN  
 EXISTING WATER RIGHT**



State of Kansas

*Filing Fee Must Accompany the Application  
 (Please refer to Fee Schedule on signature page of application form.)*

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the
- Place of Use
  - (Check one or more)  Point of Diversion
  - Use Made of Water

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 KS DEPT OF AGRICULTURE DIVISION OF WATER RESOURCES

File No. 15020

2. Name of applicant: Dillon Thompson

Address: 4623 NW 48<sup>th</sup> St

City, State and Zip: Halstead KS 67056

Phone Number: ~~(316)212-0622~~ 620.804.1322 E-mail address: Dillon.Thomson@tribineharvester.com

What is your relationship to the water right;  owner  tenant  agent  other? If other, please explain. \_\_\_\_\_

Name of water use correspondent: Dan Thompson

Address: 31624 NE 231 Rd

City, State and Zip: Hanston KS 67849

Phone Number: ( ) \_\_\_\_\_ E-mail address: \_\_\_\_\_

3. The change(s) proposed herein are desired for the following reasons (please be specific): A power line was removed and the center pivot system can now irrigate a full circle

The change(s) was completed by 2020

(Date)

For Office Use Only:							
F.O. <u>2</u>	GMD <u>3</u>	Meets K.A.R. 5-5-1 (YES / NO)	Use <u>IRR</u>	Source <u>G/S</u>	County <u>PN</u>	By <u>BMM</u>	Date <u>1/22/21</u>
Code <u>CPU</u>	Fee \$ <u>200</u>	TR # _____	Receipt Date <u>1-21-21</u>	Check # <u>1056</u>			

1/25/2021  
 LMoody

4. The presently authorized place of use is:

Owner of Land — NAME: Dillon Thompson

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ADDRESS: 4623 NW 48th St. Halstead KS 67056

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16	21	20W											31	28					59

List any other water rights that cover this place of use. none

Owner of Land — NAME: John E Thompson Revocable Trust

ADDRESS: Attn: Robin Niederee, 156 NE 20<sup>th</sup> Ave. Great Bend KS 67530

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16	21	20W									31	31							62

List any other water rights that cover this place of use. none

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: Dillon Thompson

ADDRESS: 4623 NW 48th St. Halstead KS 67056

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16	21	20W											31	31					62

List any other water rights that cover this place of use. none

Owner of Land — NAME: John E Thompson Revocable Trust

ADDRESS: Attn: Robin Niederee, 156 NE 20<sup>th</sup> Ave. Great Bend KS 67530

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16	21	20W									31	31							62
																			Total
																			124

List any other water rights that cover this place of use. none

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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6. The presently authorized point(s) of diversion is one well JAN 21 2021 (Provide description and number of points)
7. The proposed point(s) of diversion (is) (are) No Change (Provide description and number of points)

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List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the NC SW Quarter of Section 16, Township 21 South, Range 20 W, in Pawnee County, Kansas, 1,346 feet North 3,852 feet West of Southeast corner of section. Authorized Rate 1,225 gpm Authorized Quantity 120 AF  
 (DWR use only: Computer ID No. 6 GPS 1,346 feet North 3,852 feet West)  
 This point will not be changed  This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested):**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section. Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point none

9. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section. Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested):**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section. Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

10. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section. Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested):**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section. Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. N/A

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12. The presently authorized use of water is for Irrigation purposes.  
It is proposed that the use be changed to no change purposes.
13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.  
This change in place of use will involve adding more than 10 acres/10 percent to the base acres. The file is currently in a GMD5 monitoring agreement as part of a 5-5-11 (3)(i) change approved back in 2015. The monitoring agreement will be continued to allow for the additional acres. The base acres are 80.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to ---- (acre-feet or million gallons).
15. It is requested that the maximum rate of diversion of water be reduced to ---- gallons per minute (---- c.f.s.).
16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 ([www.usgs.gov](http://www.usgs.gov)). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.
- a. If a change in the location of the point(s) of diversion is proposed, show:
- 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
  - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
  - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.
17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

This change should not impact any nearby water rights.

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

A new statement of review for the GMD5 place of use monitoring agreement is attached.

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Any use of water that is not as authorized by the water right or permit to authorize water before the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

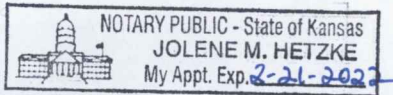
If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at \_\_\_\_\_, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

<u>Null</u> _____ (Owner)	_____	_____	_____
<u>Dillon Thompson</u> _____ (Please Print)	_____	_____	_____
<u>John E. Thompson, Rev. Trust</u> _____ (Owner)	_____	_____	_____
<u>John E. Thompson, Rev. Trust</u> <u>by Robin Neederel, Trustee</u> _____ (Please Print)	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

State of Kansas }  
County of Barton } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 15th day of January, 2021.

Jolene M. Hetzke  
\_\_\_\_\_  
Notary Public

My Commission Expires 2-21-2022

**FEE SCHEDULE**

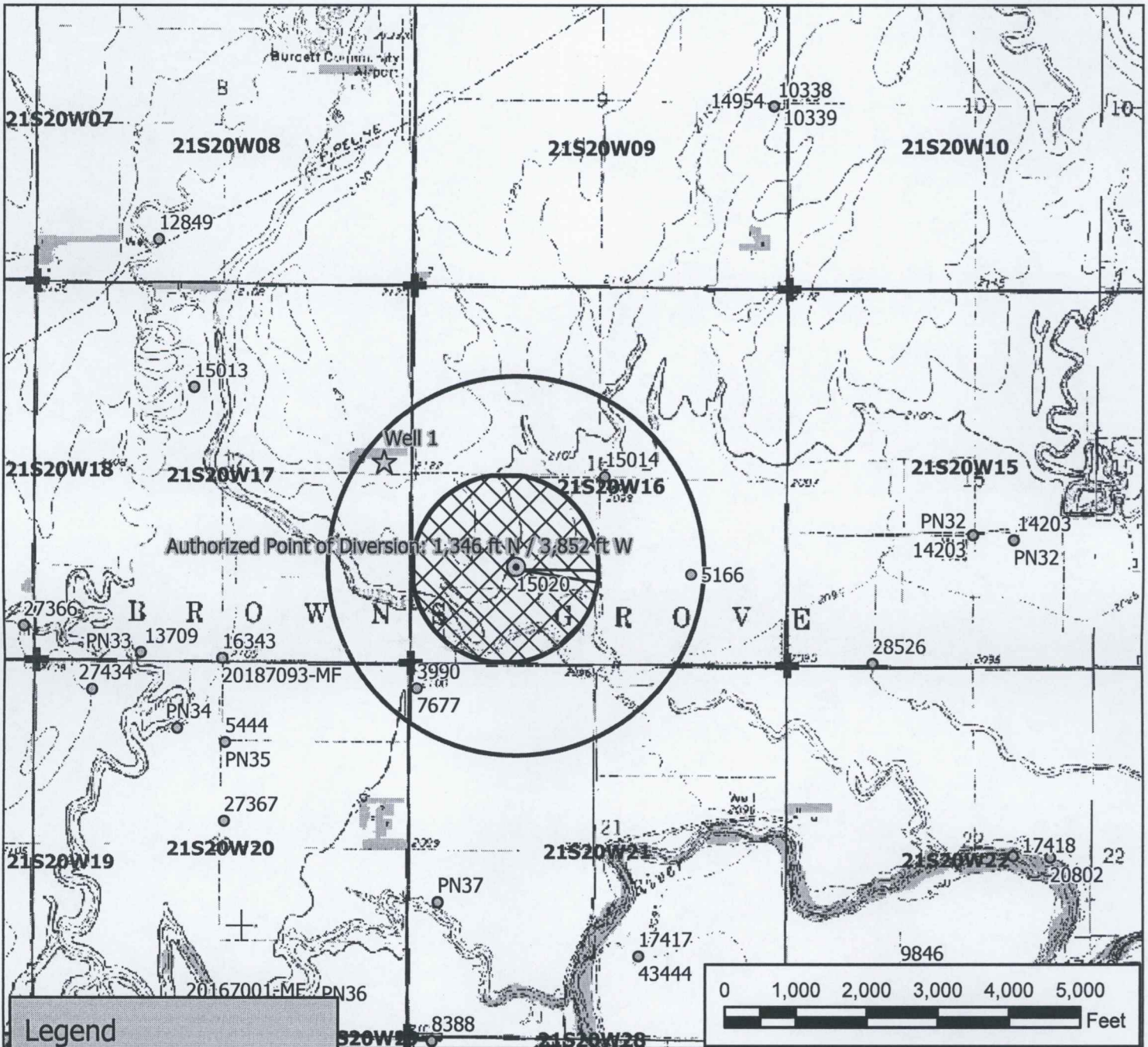
Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (1) Application to change a point of diversion 300 feet or less ..... \$100
- (2) Application to change a point of diversion more than 300 feet ..... \$200
- (3) Application to change the place of use ..... \$200
- (4) Application to change the use made of the water ..... \$300

Make check payable to **Kansas Department of Agriculture.**

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 DEPARTMENT OF AGRICULTURE





**Legend**

- Water Appropriation
- Proposed Point of Diversion
- ⊙ Authorized Point of Diversion
- ☆ Domestic Well
- ⊕ Section Corner
- ▭ Section Line
- Half Mile Circle

**Place of Use**

- ▨ Authorized
- ▩ Proposed

# Water Right, File No. 15020

## Change in Place of Use Application Map

### 16-21-20W // Pawnee County

To the best of my knowledge, all wells within one-half mile of the proposed points of diversion have been shown.

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Signature / Date 12/23/2020 EKF/SFFO 1:24,000 scale

**File No. 15020 Change Application Nearby Well Owners**

Domestic Well 1

James M & Delores A Thompson Revocable Trusts  
1653 350<sup>th</sup> Ave  
Burdett KS 67523

Water Right, File No. 15014

James M Thompson Trust  
3488 U Rd  
Burdett KS 67523

Water Right, File No. 5166

Karen I Price Trust  
2310 Timber Creek  
Manhattan KS 66502

Water Right, File No. 3990 & 7677

Fertile Fields LLC  
PO Box 904  
Lawrence KS 66044

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**STATEMENT OF REVIEW**  
**under K.A.R. 5-5-11(b)(3), (4) and (5)**  
**for a Point of Diversion located within GMD No. 5**

The items listed below were reviewed by the undersigned person(s) at \_\_\_\_\_, Kansas, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_. This review was related to the proposed *Change in Place of Use Under Water Right* for File No. 15020.

- (1) Water flow meters will be required on all wells authorized by the above-referenced file number. These flow meter(s) shall be properly installed and maintained on each well to the satisfaction of the Chief Engineer. The metered quantity of water diverted during the past year by each well shall be reported on the annual water use report required by law to be provided to the Division of Water Resources (Division).
- (2) Big Bend Groundwater Management District No. 5 (GMD No. 5) will make at least one visit per calendar year to this farm. The purpose of this visit is to monitor the compliance with conditions under which this change will be approved, if granted. Reports of verification of compliance and status reports will be completed by GMD No. 5 and furnished to the Division.
- (3) The amount of water required to irrigate the acreage proposed under this change application has been reviewed. The five-year allocation, if required, has been reviewed and is understood to be 498.8 acre-feet. The five-year allocation is the quantity of water that will be authorized for diversion under this water right for each five-year period.
- (4) The approval of this application will be conditioned so that any use of water in excess of the five-year allocation will result in a two-year suspension of all water use under that water right and a subsequent restriction of the authorized place of use to a place of use equivalent to the base acres at a location specifically set forth on the change application approval.
- ~~(5) For an application that proposes an increase in authorized acres solely for the purpose of rotation of the irrigated land within the authorized place of use, the base acres are \_\_\_\_\_ acres. The acres irrigated in any one calendar year shall not exceed \_\_\_\_\_ base acres each calendar year. The land to be irrigated will be certified to GMD No. 5 in writing before applying any water in that calendar year.~~
- ~~(6) The approval of this application will be conditioned so that the use of water on more than the base acres certified to GMD No. 5 in any calendar year will result in a two year suspension of all water use under this water right and a subsequent restriction of the authorized place of use equivalent to the base acres at a location specifically set forth on the change application approval.~~

- (7) Changes in the Memorandum of Understanding between GMD No. 5 and the Division may affect the above-referenced files. If the Memorandum of Understanding related to K.A.R. 5-5-11 between the GMD No. 5 and the Division is rescinded because of the fault of GMD No. 5, the authorized place of use will revert to the equivalent of the base acres at a location specifically set forth in the change approval.

Reversion Acre Table:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16	21	20W																	80

By signing below, I am indicating that I have reviewed and understand the items set forth above and agree that I am willing to abide by those conditions if my application for change in place of use is approved.

[Signature]  
Signature

\_\_\_\_\_  
Signature

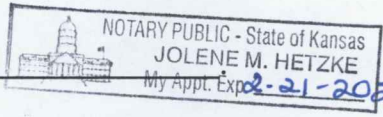
John E. Thompson, Rev. Trust  
by Robin Niederee, Trustee  
Signature

\_\_\_\_\_  
Signature

State of Kansas )  
County of Barton )

I hereby certify that the foregoing document was signed in my presence and sworn before me this 11th day of January, 2021.

[Signature]  
Notary Public

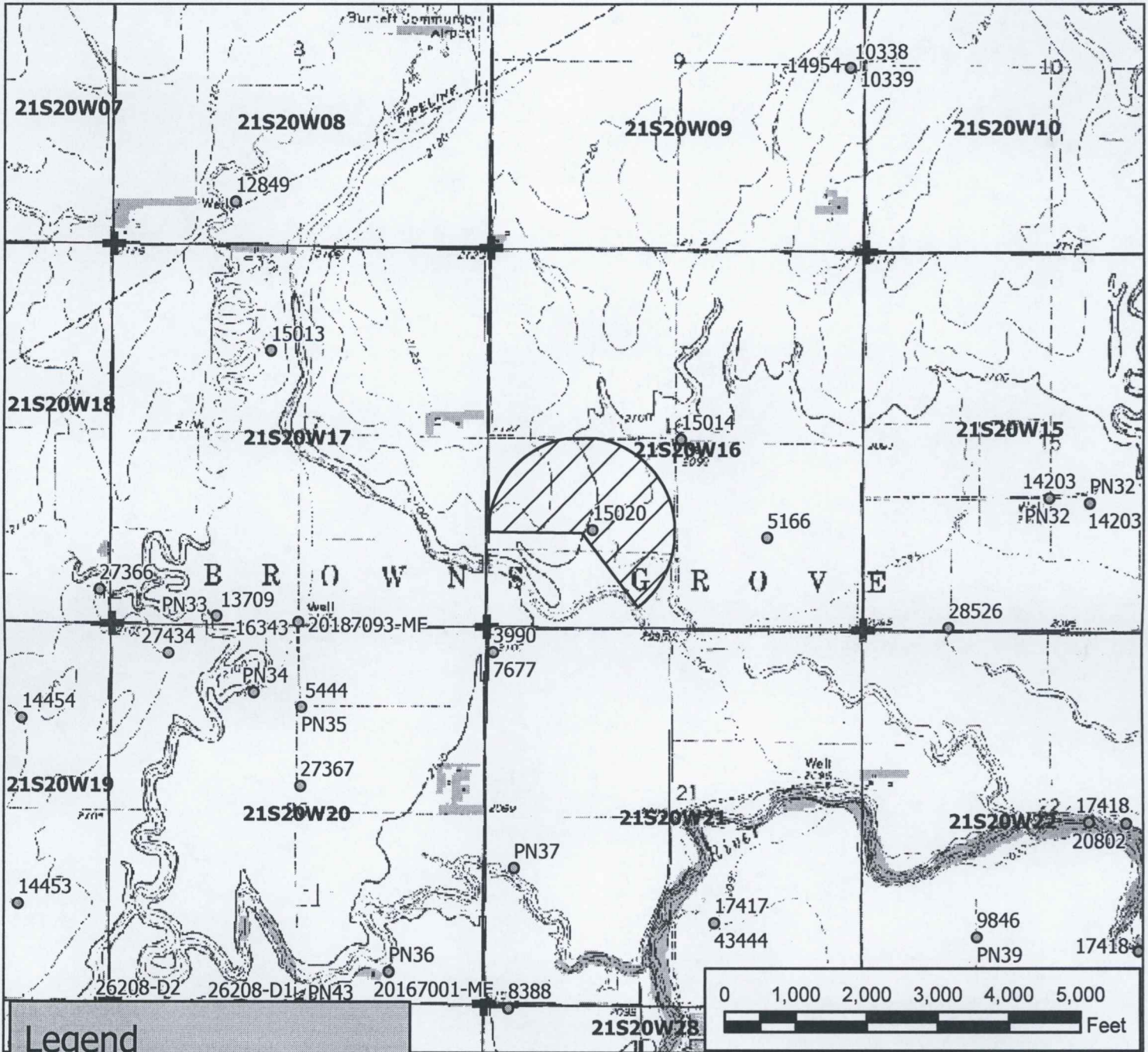
My commission expires \_\_\_\_\_  


[Signature]  
Signature, Division of Water Resources' Staff  
Person Assisting in the Review

DWR 1-120.4 (Revised 06/13/2008)

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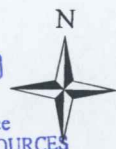


**Legend**

- Water Appropriation
- Proposed Point of Diversion
- ⊙ Authorized Point of Diversion
- ☆ Domestic Well
- ⊕ Section Corner
- ▭ Section Line
- ▭ Half Mile Circle
- ▨ Reversion Acres

**Water Right, File No. 15020**  
 Change in Place of Use Reversion Acre Map  
 16-21-20W  
 Pawnee County

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