

# 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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AUG 22 2022

12:07

KS DEPT OF AGRICULTURE

File No. 46373

2. Name of applicant: Triple T Livestock ATTN: Douglas Thiessen

Address: 14429 NW 100<sup>th</sup> St

City, State and Zip: Whitewater, KS 67154-8961

Phone Number: (316)210-6636

E-mail address: dougton@yahoo.com

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

Name of water use correspondent: Triple T Livestock ATTN: Douglas Thiessen

Address: 14429 NW 100<sup>th</sup> St

City, State and Zip: Whitewater, KS 67154-8961

Phone Number: (316)210-6636

E-mail address: dougton@yahoo.com

3. The change(s) proposed herein are desired for the following reasons (please be specific): Applicant has drilled two new wells that will need to be authorized at their new locations. The north well redrill will remain part of the battery of wells if a waiver for >600 feet distance is granted. The other new well will be a new application because it is too far from any existing wells to meet the definition of a battery.

The change(s) (was) completed by 7/11/22

(Date)

For Office Use Only:

F.O. 2 GMD \_\_\_\_\_ Meets K.A.R. 5-5-1 (YES/NO) Use **STK** Source G/S County **BU** By **ALB** Date **8/24/22**  
Code \_\_\_\_\_ **CLT** Fee \$ 100 TR # \_\_\_\_\_ Receipt Date 8-22-22 Check # 8045

8/29/2022  
LMoody

4. The presently authorized place of use is:

Owner of Land — NAME: TRIPLE T LIVESTOCK LLC

ADDRESS: 14405 NW 100<sup>th</sup> ST, WHITEWATER, KS 67154-8961

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	24S	3E	FEEDLOT (W2 NE) & (E2 NW)																-----

List any other water rights that cover this place of use. 28286-05 & Pending New Application

Owner of Land — NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

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	

List any other water rights that cover this place of use. \_\_\_\_\_

(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: NO CHANGE

ADDRESS: NO CHANGE

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	

List any other water rights that cover this place of use. \_\_\_\_\_

Owner of Land — NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

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	

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List any other water rights that cover this place of use. \_\_\_\_\_

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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

6. The presently authorized point(s) of diversion are battery of three wells and diversion works  
(Provide description and number of points)
7. The proposed point(s) of diversion are battery of three wells and diversion works  
(Provide description and number of points)

List all presently authorized point(s) of diversion: One well located on supplemental page.

8. **Presently authorized point of diversion: This is the GEOCTR and it is changing b/c the North well was redrilled**

One in the NW Quarter of the NW Quarter of the NE Quarter of Section 16, Township 24 South, Range 3 E, in Butler County, Kansas, 4,684 feet North 2,055 feet West of Southeast corner of section.  
 Authorized Rate 120 gpm Authorized Quantity 10.843 MGY\*  
**(DWR use only: Computer ID No. 5 GPS 4,684 feet North 2,055 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 NW Quarter of the NW Quarter of the NE Quarter of Section 16, Township 24 South, Range 3 E, in Butler County, Kansas, 4,724 feet North 2,008 feet West of Southeast corner of section.  
 Proposed Rate no change Proposed Quantity no change  
 This point is:  Additional Well  Geo Center List other water rights that will use this point 28286-05

\*This is a blanket quantity for all 3 wells in the battery and the additional well authorized with upcoming new app.

9. **Presently authorized point of diversion: This is the redrilled North well of battery (ID #3)**

One in the NW Quarter of the NW Quarter of the NE Quarter of Section 16, Township 24 South, Range 3 E, in Butler County, Kansas, 4,926 feet North 2,023 feet West of Southeast corner of section.  
 Authorized Rate see geocenter Authorized Quantity see geocenter  
**(DWR use only: Computer ID No. 3 GPS 4,926 feet North 2,023 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 NE Quarter of the NW Quarter of the NE Quarter of Section 16, Township 24 South, Range 3 E, in Butler County, Kansas, 5,047 feet North 1,881 feet West of Southeast corner of section.  
 Proposed Rate see geocenter Proposed Quantity see geocenter  
 This point is:  Additional Well  Geo Center List other water rights that will use this point 28286-05

10. **Presently authorized point of diversion: This well is not changing (Middle well of battery)**

One in the SE Quarter of the NW Quarter of the NE Quarter of Section 16, Township 24 South, Range 3 E, in Butler County, Kansas, 4,601 feet North 1,931 feet West of Southeast corner of section.  
 Authorized Rate see geocenter Authorized Quantity see geocenter  
**(DWR use only: Computer ID No. 6 GPS 4,601 feet North 1,931 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, 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 28286-05

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11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. The old well from the redrill is plugged. All other wells will remain in use.

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
FILE NO. 46373

**Presently authorized point of diversion:**

One in the SW Quarter of the NW Quarter of the NE Quarter  
of Section 16, Township 24 South, Range 3 E,  
in Butler County, Kansas, 4,525 feet North 2,211 feet West of Southeast corner of section.

Authorized Rate see geocenter Authorized Quantity see geocenter Depth of well unknown (feet)

(DWR use only: Computer ID No. 7 GPS 4,525 feet North 2,211 feet West)

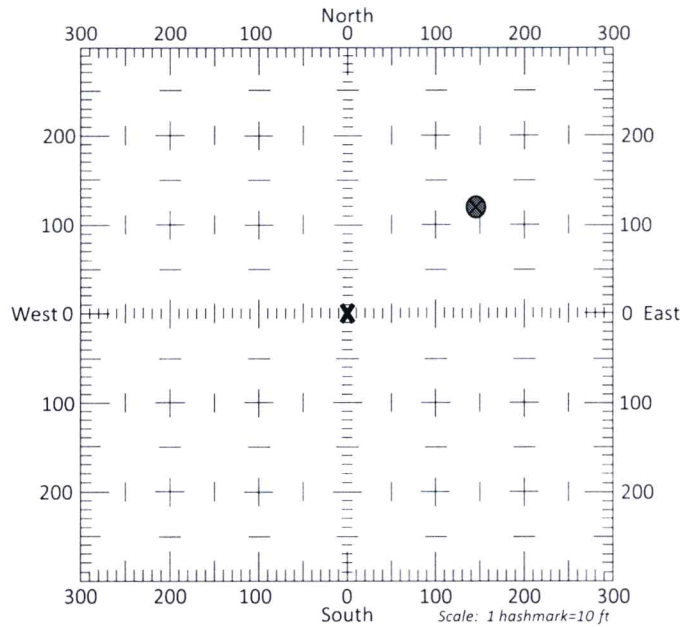
This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:

**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**

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 \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_

This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_



The graph above shows the relocation of the North well from its presently authorized location, where X marks the location of the well currently authorized.

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12. The presently authorized use of water is for Stockwater 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.

No changes are being made to either the place of use or use made of water.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to No reduction (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to No reduction 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 ½ 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 ½ 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) ½ mile downstream and ½ 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.

Well log is on file. The new well for the battery has already been drilled, from the best information available seems to be in the same source of supply as the previously authorized well. No impairment to existing water rights is anticipated with this change.

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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.

This change will propose a waiver for the definition of a battery of wells per K.A.R 5-1-1. The well has already been drilled slightly greater than 600 ft from furthest well to furthest well. These changes are <300 ft moves, however there are no irrigation wells within 1/2 mile of the well redrill.

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

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 Potom, Kansas, this 19 day of August, 20 22.

<u>[Signature]</u> (Owner)	_____	(Spouse)
<u>Douglas Thiessen</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
(Please Print)	_____	(Please Print)
_____	_____	(Spouse)
(Please Print)	_____	(Please Print)
_____	_____	(Spouse)
(Please Print)	_____	(Please Print)

State of Kansas }  
County of Butler } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 19 day of August, 20 22.

[Signature]  
Notary Public

My Commission Expires 6-17-25

**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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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

August 29, 2022

TRIPLE T LIVESTOCK  
14429 NW 100TH ST  
WHITEWATER KS 67154

RE: File No(s). **46373**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) to change the place of use, point of diversion or use made of water for the file number(s) 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(s) and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation(s) Act, the use of water as proposed prior to approval of the application(s) 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 Baum  
New Applications and Changes Supervisor  
Water Appropriation Program