Kansas
Department of Agriculture
Division of Water Resources

Topeka Field Office 1131 SW Winding Rd, Suite 400 Topeka, KS 66615

Mike Beam, Secretary

www.agriculture.gov
Laura Kelly, Governor

Phone: 785-296-5733

September 18, 2020

JESSEE GRAIN Attn: RICK JESSEE 6878 SE HWY 160 COLUMBUS, KS 66725

Re:

Water Right, File No. 47,093

Appropriation of Water,

File No. 49,327

Dear Sir:

Enclosed are the orders executed by Chris Beightel, Acting Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to the terms, conditions, and limitations specified in these approvals for change. A condition of these orders requires the installation of water flow meter(s) before the first use of water in accordance with the Chief Engineer's specifications found in K.A.R. 5-1-4 through K.A.R. 5-1-12. A copy of these specifications and a list of acceptable meters can be obtained from our website at the following web address:

http://agriculture.ks.gov/meters

Because the order pertaining to Water Right, File No. 47,093 modifies the original certificate issued under your water right file, it should be recorded with the Register of Deeds as other instruments affecting real estate.

These documents are summary orders by this agency regarding this matter. These orders shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of the order.

If you have any questions, please feel free to contact this office at (785) 296-5733. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

Katherine A. Tietsort Water Commissioner

KAT:Ihh Enclosures

PC: WILBUR W & WYNONIA L BEATTY KEVIN & ANTONETTE BEATTY Submit completed application to: Kansas Department of Agriculture Division of Water Resources Field Office for your area. Call for address:

> Topeka -- (785) 296-5733 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 http://agriculture.ks.gov/dwr

DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended. Fee Schedule is on the third page of this application form.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use. SEP 0 8 2020 File No. 47093 Topeka Field Office DIVISION OF WATER RESOURCES Application is hereby made for approval of the Chief Engineer to change the (check one or both): □ Place of Use ☐ Point of Diversion under the water right which is the subject of this application in accordance with the conditions described below. The source of supply is: ☐ Groundwater □ Surface water 2. Name and address of Applicant: Jessee Grain, Attn: Rick Jessee, 6878 SE Hwy 160, Columbus, KS 66725 Phone Number: (620)249-4897 Email address: jesseetk3@ckt.net Name and address of Water Use Correspondent: Applicant Phone Number: (Email address: The presently authorized place of use is: Owner of Land ---- NAME: ADDRESS: See Supplemental Sheet (If there is more than one landowner, atta TOTAL ACRES NW1/4 SW1/4 Twp. Range NE1/4 SE¼ NE½ NW¼ SW¼ SE¼ NE½ NW¼ SW¼ SE½ NE1/4 NW1/4 SW1/4 SE1/4 4. If this application is for a change in place of use, it is proposed that the place of use be changed to: Owner of Land ---- NAME: ADDRESS: See Supplemental Sheet (If there is more than one landowner, at SE1/4 TOTAL ACRES SW1/4 NE1/4 NW1/4 SE1/4 Sec. Twp. Range SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 NE1/4 NW1/4 SW1/4

For Office Use Only: Code CPU Fee \$ 200 TR # Receipt Date 9/8/20 Check # 3385

5.	Presently author	ized point of	diversion:											
	One in the	SW	Quarter of the	NW	Quarter of the	SE	Quarter							
			, Township		South, Range									
					2545 feet West of S	Southeast corner of section.								
Ì	Authorized Rate _	Rate <u>750 gpm</u> Authorized Quantity _		98 AF	Depth of well	N/A (feet)							
ł	(DWR use only:	Computer ID	No. <u>74638</u> GF	PS 37.1673	9 feet North <u>-94.67</u>	631 feet We	st)							
	⊠This point will no	t be changed	☐This point will be chang	ed as follows: [as follows: No change, point better described with GPS as follows:									
	Proposed point	of diversion:	(Complete only if chan	ge is requeste	ed or if existing point is	better describe	d by GPS)							
	One in the		Quarter of the		Quarter of the		Quarter							
	of Section		, Township		South, Range		(E/W),							
					feet West of S									
	Proposed Rate		Proposed Quantity _		Proposed well depth	(feet)								
-	This point is:	Additional We	II ☐ Geo Center List o	other water righ	r water rights that will use this point									
3. F	Presently author	ized point of	diversion:											
	One in the		Quarter of the		Quarter of the		Quarter							
					South, Range									
					feet West of S									
					Depth of well									
1	(DWR use only:	Computer II	No. GI	 PS	feet North	feet West)								
-	☐This point will no	ot be changed	☐This point will be change	ed as follows:	No change, point better de	escribed with GPS	as follows:							
	=	_	-		ed or if existing point is									
				•	Quarter of the									
					South, Range									
					feet West of									
-					Proposed well depth									
					hts that will use this point									
L		···		······································										
7.			d for the following reason											
			pated acres that are not	. 300	North 0 200 100 0	100 200	300							
	remain unchanged		Net irrigated acres will	- 200			ппц							
	remain unchanged			•	= - = =		=							
8.	If a well, is the test	t hole log attac	hed? Yes No	200	-141+1=	\perp \perp \perp	1 = 300							
				200		1 1 1	\							
9.	If a well, is the test hole log attached? Yes No The change(s) (was)(will be) completed by? Upon approval 100 The change(s) (was)(will be) completed by?													
	Upon approval			_ 100	1+++=	1 + 1 +	100							
			4											
10.	If the point of dive	rsion is a well:			<u> </u>		.1/1/200							
	(a) What are you	going to do w	th the old well?	West 0	[u]	(1) (1) (1) (1) (1) (1) (1) (1) (1)	East							
	NI/A				 =		1							
	N/A		<u></u>	100	1+1+1=	1 + 1 +	100							
	(b) When will this	be done? <u>N//</u>		-			/							
					-1+1=		/							
11.			ct recommendation attach	ed? 200		+ +/	200							
	□ 1	′es ∐ No				-/-	킄							
12	Assisted by Caleb	Fahrycky T	FΩ/Parsons			uluduulu	_قسلا							
14.	Assisted by Caleb	i abiyuky I	On alsons	- 30	0 200 100 0 South	100 200 1 Scale: 1 hashma	300 ork=10 ft							
13a	. If the proposed po	int of diversion	will be relocated more tha	<u>n 300</u>										

feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile on the diagram shown above in relation to the existing point of of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines

diversion. The proposed point of diversion must be located within the circle shown above. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

14. If the proposed groundwater point of diversion is 300 or fewer feet	t from the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently at ☐ Yes ☐ No (If no, all owners must sign this ap	
 (b) Will the ownership interest of any owner of the currently aut affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this a 	thorized place(s) of use identified in this application be adversely application.)
(c) If this application is not approved expeditiously, will there be s ☐ Yes ☐ No (If no, all owners must sign this ap	
If the application proposes a surface water change in point of diversion or a change in place of use, the application must be signed by all own agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affi age and the owner, the spouse of the owner, or a duly auth their behalf, in regards to the water right(s) to which this a contained in this application are true, correct and complete	norized agent of the owner(s) to make this application on application pertains. I further verify that the statements
Dated at $8-3/-20$, Kansas, tl	his, 20
0 4 5	
Kuk Jessee	
(Owner)	(Spouse)
Please Print)	
(Please Print)	(Please Print)
WILBUR BEATLY	
(Oywger)	(Spouse)
Willow Deathy	
(Please Print)	(Please Print)
·	
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas) KEI	PUBLIC - State of Kansas LCEY J. JESSEE
County of County of My Appt	1. Expires (<u>-3)-303</u> 4
County of Ot Milot	
I hereby certify that the foregoing application was signed in the foregoing application was signed at the foregoing application application at the foregoing application application application application at the foregoing application applicat	in my presence and sworn to before me this 31 day
	120000
) -O O ' ' '	Kelly Jessel
My Commission Expires 1-27-2034	plotary Public?
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be considered	all of the applicable position of the application form must be completed with
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete accurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.	, all of the applicable portions of the application form must be completed with the appropriate owners' must be affixed to the application and notarized; and
FEE SCHI	<u>EDULE</u>
Each application to change the place of use or the point of diversion u	
forth in the schedule below: Make checks payable to: Kansas Depa	rtment of Agriculture
 (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 	\$
(3) Application to change the place of use	\$200
~	

Page 3

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

Wit	This Summary Order is issued under authority of K.S.A. 82a-708b, a provisions of the <i>Kansas Water Appropriation Law, K.S.A. 82a-701 &</i> With the exception of those conditions expressly contained herein, this limitations of File No. 47,093	et. seg., and rules and regulations promulgated thereunder.										
1.	 A change application was received on diversion authorized under the above-referenced file number be 											
2.	On and after the effective date of this summary order, the authoriz the topographic map accompanying the application to change t	ed place(s) of use shall be located substantially as shown on he place of use. Magneticable Not Applicable										
3.	 The change in point of diversion shall not impair existing rights an previously authorized. The point of diversion authorized by this radius of the authorized point(s) of diversion. Applicable 	d shall be limited to the same source or sources of water as summary order shall be located within a foot foot Not Applicable										
4.	 The point(s) of diversion described herein is administratively conversioning System (GPS), as described in the application. 	orrected to be more accurately described using the Global Applicable 🔀 Not Applicable										
5.	 The point(s) of diversion authorized herein shall not actually be logauthorized point(s) of diversion. Applicable ☒ Not Applicable 	cated more than feet from the previously plicable										
6.	 As required by K.A.R. 5-3-5d, if the works for diversion is a well w or other device suitable for making water level measurements si K.A.R. 5-6-13. Applicable Not Applicable 	ith a diversion rate of 100 gallons per minute or more, a tube hall be installed, operated and maintained in accordance with										
7.	7. The owner of the authorized place(s) of use shall properly December 31, 20_20_, or before the first use of water, which operated and maintained in accordance with K.A.R. 5-1-4 through K.A.R. 5-3-5e, the owner shall maintain records and report the adverted annually to the Chief Engineer by March 1 following the Applicable Not Applicable	thever occurs first. The water flow meter shall be installed, gh 5-1-12. As required by K.S.A. 82a-732, as amended, and reading of the water flow meter and the total quantity of water										
8.	authorized extension of time. By March 1, 20 the appli	Installation of the works for diversion of water shall be completed on or before December 31, 20, or within any authorized extension of time. By March 1, 20 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e.										
9.	9. The completed well log shall be submitted with the required in	notice. Applicable M Not Applicable										
10.	 All diversion works into which any type of chemical or other foreig with an in-line, automatic, quick-closing check valve capable o check valve(s) shall be installed, operated and maintained in acc 	f preventing pollution of the source of the water supply. The										
11.	11. Additional Conditions are attached. Yes No											
12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the Kansas Water Appropriation Law and the Rules and Regulations promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.												
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY										
If vo	If you are aggrieved by this order, pursuant to K.S.A. 82a-1901,	APPLICATION APPROVED AND										
VOU	you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of	SUMMARY ORDER ISSUED										
Agr	Agriculture. A request for hearing by the Chief Engineer must be By											
adn	filed within 15 days of service of this Order and a request for administrative review by the Secretary must be filed within 30	Duly Authorized Designee of the Chief Engineer (Print Name): Catherine A Trettoot										
revi	days pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527.	(Print Name):										
File	File any request with Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS	ite of Issuance: Septem ber 18, 2020										
665	CCEGO Enily we be timely required a baction of review may	ate of Kansas)										
	For I iso by Posistor of Doods	ounty of Shawnee) SS										
		knowledged before me on September 18, 2020										
	•	hatherine A Tietsort										
	A.	Notary Public OEBBE CROUCHER OF THE PUBLIC (Notary 1972), 2023										

CERTIFICATE OF SERVICE

On this 18th day of September, 2020, I hereby certify that the attached <u>APPROVAL OF APPLICATION FOR CHANGE IN PLACE OF USE</u>, Appropriation of Water, File No. 47,093, dated September 3, 2020 was mailed postage prepaid, first class, US mail to the following:

JESSEE GRAIN Attn: RICK JESSEE 6878 SE HWY 160 COLUMBUS, KS 66725

WITH PHOTOCOPY TO:

WILBUR W & WYNONIA L BEATTY KEVIN & ANTONETTE BEATTY 28457 FIR RD CARL JUNCTION, MO 64834

24 - 55

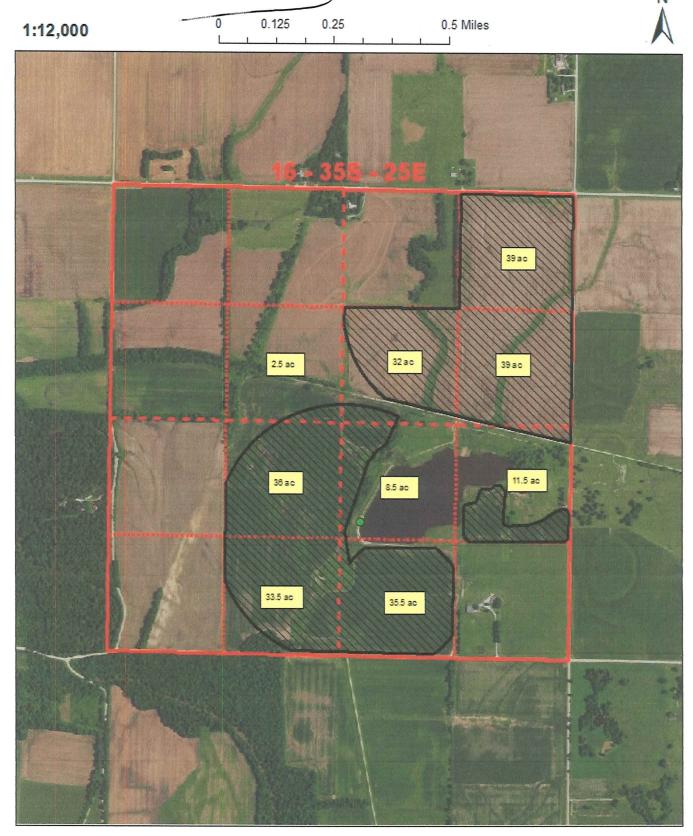
APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

FILE NO. 47093

MAKE ADDITIONAL COPIES AS NECESSARY

	ontinue wner of	Land -	N/	ME:	Jessee	<u>Living</u>	Trust	t											
			ADDRI	ESS: ,	Attn: R	ick Je	ssee,	6878	SE Hi	ghway	160,	Colum	ibus, K	S 667	25				
				NE	1/4		NW¼			SW1/4			SE¼				TOTAL		
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0.	Wilei O							essee,	5806	SE H	ighwa	y 160,	Colu	nbus,	KS 66	3725			
ADDRESS: Attn: David Brent Jessee, 5806 SE Highway 160, Columbus, KS 66725																			
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Sec. 16	Twp. 33S	Range 25E	NE.74	1977/4	5VV/4	SE 74	NE1/4	NVV/4	SVV/4	SE1/4	NE1/4	NVV74	SVV/4	SE1/4	NE1/4 1.5	4	40	SE1/4	45.5
	333	200													1.5	*	40		40.0
Continued: If this application is for a change in place of use, it is proposed that the place of use be changed to: Owner of Land —— NAME: Jessee Living Trust ADDRESS: Attn: Rick Jessee, 6878 SE Highway 160, Columbus, KS 66725																			
			I		-1/						I						-1/		TOTA!
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Owner of Land NAME:																			
	ADDRESS:																		
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File Nos. 47093 & 49327 Proposed Place of Use



File Nos. 47093 & 49327 Current Place of Use

1:12,000 0.125 0.25 0.5 Miles



