

Kansas Department of Agriculture
Division of Water Resources
CHANGE: P/U WORKSHEET

1. File Number: 43,261	2. Status Change Date: 7/1/2021	3. Change Num: C2	4. Field Office: 01	5. GMD:
----------------------------------	---	-----------------------------	-------------------------------	---------

6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 27-FEB-2019
---	---

8a. Applicant(s) New to system <input type="checkbox"/> DOUG & JERYL GRIMM 1215 OREGON ST HIAWATHA KS 66434 Person ID 51988 Add Seq# <u> </u>	8b. Landowner(s) New to system <input checked="" type="checkbox"/> GEORGE G DIETRICH TRUST 3221 SW 32ND ST TOPEKA KS 66614 Person ID 67862 Add Seq# <u> </u> 8c. ELMER F DIETRICH TRUST 2966 GOLDFINCH RD HIAWATHA KS 66434 Person ID 63319 8d. TERRY & DAYTON MENOLD 886 300TH ST HIAWATHA KS 66434 Person ID 65629
--	---

WUR Correspondent New to system <input type="checkbox"/> Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No KEITH GRIMM 1215 OREGON ST HIAWATHA, KS 66434 Person ID 60054 Add Seq# <u> </u> Notarized WUC Form <input type="checkbox"/>	8e. DOUG & JERYL GRIMM 1215 OREGON ST HIAWATHA KS 66434 Person ID 51988 8f. PRECISION FARMS 2595 GOLDFINCH RD HIAWATHA KS 66434 Person ID 62981
--	--

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/22** N & P Date to Comply: _____

Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter

Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **4/7/21** By: **DWS**
 Date Entered: **7/7/2021** LMoody

Kansas Department of Agriculture
Division of Water Resources
CHANGE: P/U WORKSHEET

Page 2

1. File Number: 43,261 (continued)	2. Status Change Date:	3. Change Num: C2	4. Field Office: 01	5. GMD:
---	------------------------	-----------------------------	-------------------------------	---------

6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 27-FEB-2019
---	---

8a. Applicant(s) New to system <input type="checkbox"/> Person ID 62261 Add Seq# <u> </u>	8g. Landowner(s) New to system <input type="checkbox"/> Person ID 66822 Add Seq# <u> </u> <p style="text-align: center;">KEITH & ANDREA GRIMM LIVING TRUST 2595 GOLDFINCH RD HIAWATHA, KS 66434</p> <p style="text-align: right;">Person ID 66823</p> 8h. JIMESON FAMILY FARMS LLC 325 BRISTOL RD WEBSTER GROVES, MO 63119
---	--

8b. Landowner(s) New to system <input type="checkbox"/> Person ID <u> </u> Add Seq# <u> </u>	Person ID 67512 New to system <input checked="" type="checkbox"/> 8i. AUSTIN N & RHODA M HEISE REV LIVING TRUST 14561 BIRCH ST LEAWOOD, KS 66224
--	--

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/22** N & P Date to Comply: _____

Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter

Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **4/7/21** By: **DWS**
Date Entered: _____ By: _____

File No. **43,261** 11. County: **BR** Basin: **S F BIG NEMAHA RIVER** Stream: PONY CREEK TRIB 2 (S F BIG NEMAHA) Formation Code: **SURFACE W - N/A** Special Use:

12. Points of Diversion										Rate and Quantity							
CHK	MOD	DEL	PDIV	ENT	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	Overlap PD Files

NO CHANGES

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
CHK	MOD	DEL	ENT	PUSE	S	T	R	ID		NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
√				51724	8	1	16E	5										36	34	18	34		40	40		202	8e.	NO	*see below
√				59992	9	1	16E	1										40	34	26.9	40					140.9	8e.	NO	*see below
√				59993	9	1	16E	2												13.1						13.1	8f.	NO	*see below
	MOD			67564	10	1	16E	3										40	36	40	37					153	8e.	NO	*see below
	ENT			69175	17	1	16E	2		1.5	19											10	40	37	8	115.5	8f.	NO	*see below
√				51374	29	1	16E	3	22	40	40	40														142	8e.	NO	*see below
	MOD			62616	21	1	16E	1						34	35	34.5	30	40	40	40	40					293.5	8b.	YES	*see below
	ENT			65061	28	1	16E	2						40	40					37						117	8b.	YES	*see below
	MOD			65063	28	1	16E	3								36.8	30.2	40	40							147	8c.	NO	*see below

Comments: FILE NOS. 43,094; 43,261; ~~46,934; 47,143;~~ 47,156; 48,008; ~~48,063; 48,064;~~ 48,770; 48,771; 49,974; 50,061; 50,152; 50,277; and **50,460** complete overlap in PU.

File Nos. 49,878 AND 50,065 partial PU overlap.

7/7/2021
KAB

6/23/2021
KJN

Base Acres: Year: Minimum Reasonable Quantity: Comments:

File No. **43,261**
(CONTINUED) 11. County: **BR** Basin: **S F BIG NEMAHA RIVER** Stream: PONY CREEK TRIB 2 (S F BIG NEMAHA) Formation Code: Special Use:

12. Points of Diversion
 CHK
 MOD
 DEL PDIV
 ENT
 Rate and Quantity
 Authorized Additional
 Rate Quantity Rate Quantity
 gpm/cfs af/mgy gpm/cfs af/mgy Overlap PD Files
 Qualifier S T R ID 'N 'W Comment (AKA Line)

NO CHANGES

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files				
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼								
ENT	68472	33	1	16E	1					40	40	37.5	38									30			30	155.5	8d.	NO	*see below
ENT	68473	33	1	16E	1									25	40	22	20									107	8b.	YES	*see below
ENT	70158	17	1	16E	3	40	38.5	21	40									40	40	36.3	28.3					199.5	8g.	NO	*see below
ENT	70156	20	1	16E	2									40	40	40	40	40	40	36.3	28.3					304.6	8i.	NO	*see below
ENT	69573	22	1	16E	1									40			40									80	8g.	NO	*see below
ENT	70157	22	1	16E	2			34	22	40	28	40	40		40	40										284	8i.	NO	*see below
ENT	69574	23	1	16E	4											32	33									65	8g.	NO	*see below
ENT	65062	27	1	16E	3	40	40	40	40																	160	8h.	NO	*see below
ENT	69575	27	1	16E	4					40	40	40	40													160	8b.	NO	*see below
ENT	70159	28	1	16E	5	37.1	38	40	40																	155.1	8d.	NO	*see below

Comments: FILE NOS. 43,094; 43,261; ~~46,934~~; ~~47,143~~; 47,156; 48,008; ~~48,063~~; ~~48,064~~; 48,770; 48,771; 49,974; 50,061; 50,152; 50,277; AND 50,460 complete overlap in PU.

File Nos. 49,878 AND 50,065 partial PU overlap. 7/7/2021
KAB **TOTAL ACRES = 2,994.7 ACRES**

Base Acres: Year: Minimum Reasonable Quantity: Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: April 7, 2021

FROM: Doug Schemm
43,261;

RE: Change Applications, File Nos. 43,094;
47,156; 48,008; 48,770; 48,771; and 49,878

Applications for approval to change the authorized place of use for the referenced file numbers, have been filed by multiple owners, for irrigation use in the S F Big Nemaha River Basin.

The referenced files do not appear abandoned as per K.S.A. 82a-718.

This has been an evolving project with the addition of acreage and new and change applications. The final place of use comprises a total of ~~2,991.8~~ **2,994.7** acres. The existing permits and new applications are summarized below:

File No.	PD Type	Storage		Direct Use		Limitations
		Quantity (AF)	Rate (GPM)	Quantity (AF)	Rate (GPM)	
43,094	Reservoir	35	Natural Flows	21	855	None
43,261	Reservoir	56.5	Natural Flows	41	915	None
47,156	Reservoir	189.5	Natural Flows	146	1000	None
48,008	Reservoir	178.6	Natural Flows	136	1200	None
48,770	Pump site	--- --	--- --	655 (447 Add)	1500	Direct Use: 655 AF/YR com/w #43,094; 43,261; & 47,156
48,771	Reservoir	579	Natural Flows	579 (0 Add)	1000	Direct Use: 655 AF/YR com/w #43,094; 43,261; 47,156; & 48,770
49,878	Reservoir	270	Natural Flows	267	1200	None
PENDING APPLICATIONS						
49,974	Reservoir	160	Natural Flows	160	1000	None
50,061	Pump site	--- --	--- --	673	1500	None
50,065	Pump site	--- --	--- --	270	2000	820 AF when combined with all senior files on the authorized place of use of 820 acres
50,152	Reservoir	480	Natural Flows	480	2000	None
50,277	Reservoir	353	Natural Flows	315	2000	None
50,460	Reservoir	510	Natural Flows	510	2000	None

Summing up water rights, 655 AF (limitation qty) + 136 AF + 160 AF + 673 AF + 480 AF + 315 AF + 510 AF = 2,929 AF total for the files the cover the entire place of use of 2,994.7 acres. File Nos. 49,878 and 50,065 provide a total of 537 AF on the 820-acre portion of the place of use.

Note that File Nos. 49,878 and 50,065 are a partial overlap in place of use with all other files (820 acres). These 2 files are not connected to the pipeline associated with the other project files and cannot physically serve any other portion of the expanded place of use. File No. 50,065 will pump into the reservoir authorized under File No. 49,878 only and will only be able to supply water to the specified 820 acres authorized place of use. The applicant has provided metering maps to assist in determining how the water will be accounted for.

Change Applications, File Nos. 43,094; 43,261; 47,156; 48,008; 48,770; 48,771; and 49,878
Page 2

The applicants propose to create an exact overlap in the place of use between File Nos. 43,094; 43,261; 47,156; 48,008; 48,770; 48,771; 49,974; 50,061; 50,152; 50,277; and 50,460 for a total of 2,994.7 acres pursuant to K.A.R. 5-5-11(b)(1) *Identical places of use*. As noted above, the total quantity of water to be authorized for the partial proposed place of use, 820 acre-feet, will be limited to the maximum quantity for the proposed 820 acres, of 1 acre-feet per acre.

These files are all sourcing various streams within the S F Big Nemaha Basin, no points of diversion are being changed, and the same local source of supply will not change for any of the files.

In an e-mail dated **March 23, 2021**, Katie Tietsort, Water Commissioner of the Topeka Field Office, indicated that she recommends approval of the change applications.

Water flow meters are required. Check valves are required if any chemical or foreign substance is injected into the water through the diversion works.

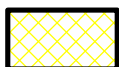
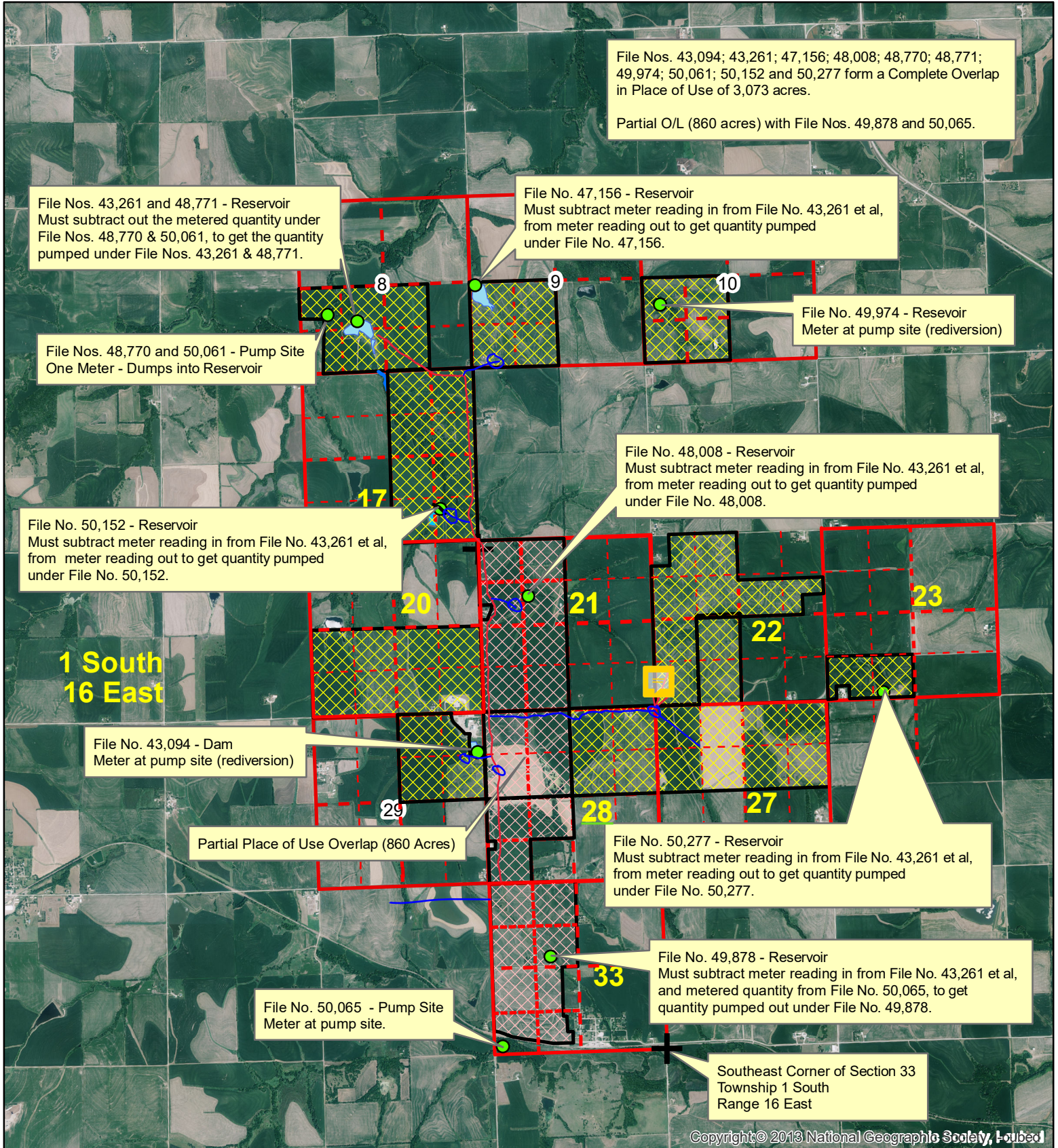
Based on the above discussion, that the changes are reasonable, that impairment to existing water rights is unlikely, and that no change in the local source of supply will occur, it is recommended the change applications be approved, in conjunction with the pending new applications listed above.

6/23/2021
KJN

Doug Schemm
Environmental Scientist
Topeka Field Office

1:48,000

METERING MAP FOR BIG PROJECT



Place of Use



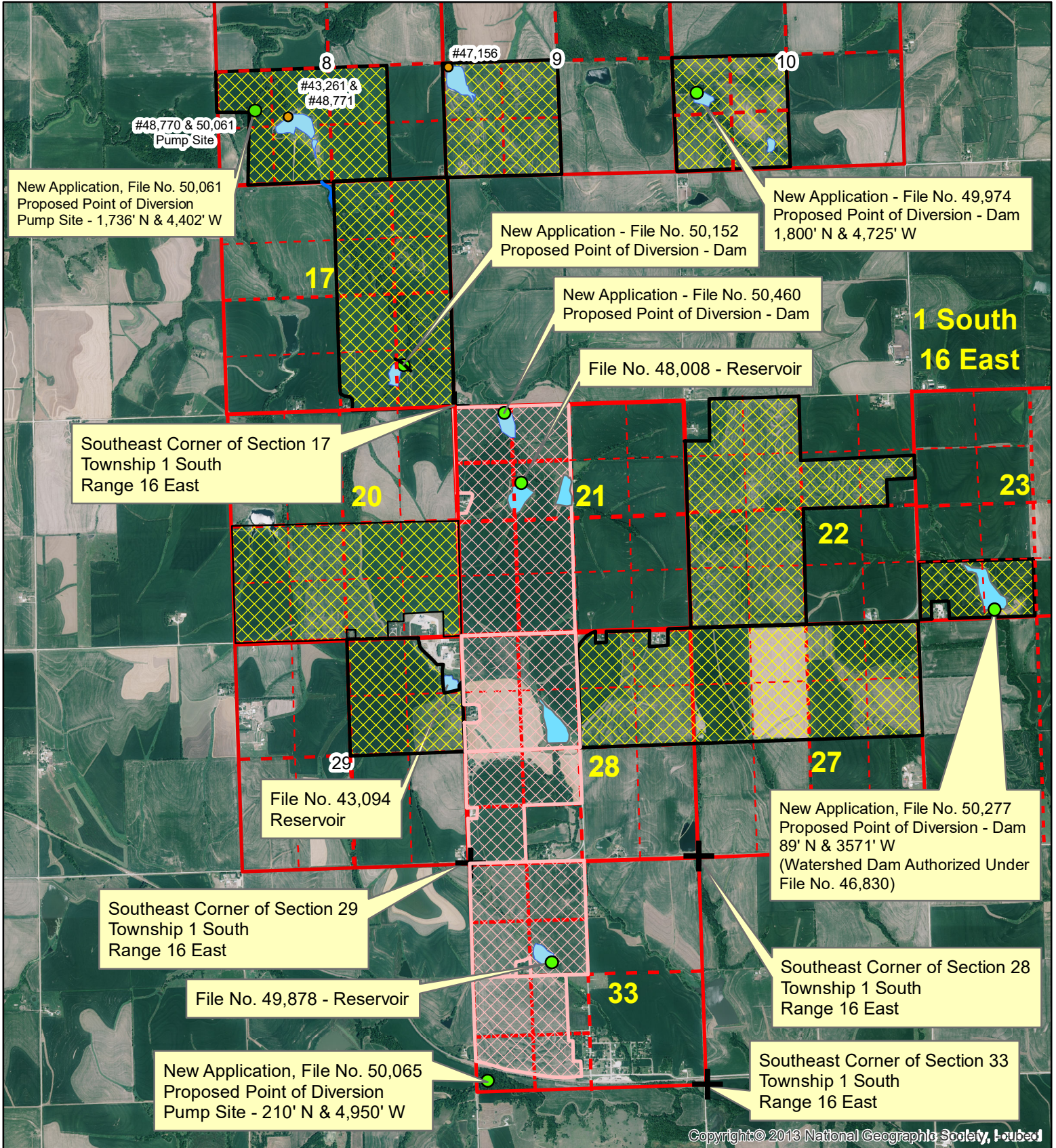
Place of Use (Partial O/L)



Points of Diversion

1:36,000

REVISED PLACE OF USE
OVERLAP SITE MAP



Copyright © 2013 National Geographic Society, Inc.



Proposed Place of Use



Partial Overlap PU (820 Acres)

● Points of Diversion

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., Chief Engineer

APPROVAL OF APPLICATION FOR CHANGE IN PLACE OF USE WATER RIGHT FILE NO. 43,261

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Doug & Jeryl Grimm, 1215 Oregon St., Hiawatha, Kansas 66434, received in this office on February 27, 2019, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, as modified and amended by the Order of the Chief Engineer dated January 19, 2016, approving the application to change the place of use and point of diversion, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the irrigation place of use shall be:

Sec. Twp. Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8 1S 16E									36	34	18	34			40	40	202
9 1S 16E									40	34	40	40					154
10 1S 16E									40	36	40	37					153
17 1S 16E	40	40	40	40									40	40	37	38	315
20 1S 16E									40	40	40	40	40	40	36.3	28.3	304.6
21 1S 16E					34	35	34.5	30	40	40	40	40					293.5
22 1S 16E			34	22	40	28	40	40	40	40	40	40					364
23 1S 16E											32	33					65
27 1S 16E	40	40	40	40	40	40	40	40									320
28 1S 16E	37.1	38	40	40	40	40	36.8	30.2	40	40	37						419.1
29 1S 16E	22	40	40	40													142
33 1S 16E					40	40	37.5	38	25	40	22	20					262.5

a total of 2,994.7 acres in Township 1 South, Range 16 East, Brown County, Kansas,

located substantially as shown on the map accompanying the application to change the place of use.

All 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.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed.

The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 43,261, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated March 30, 2009, and as modified and amended by the aforementioned order.

Ordered this *1st* day of *July*, 2021, in Manhattan, Riley County, Kansas.



Earl D. Lewis Jr.

Earl D. Lewis Jr., P.E.
Chief Engineer
Water Appropriation Program
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this *1st* day of *July*, 2021, by Earl D. Lewis Jr., P.E., Chief Engineer, Water Appropriation Program, Division of Water Resources, Kansas Department of Agriculture.



Melinda Jennings

Notary Public
Melinda Jennings

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

July 8, 2021

DOUG & JERYL GRIMM
1215 OREGON ST
HIAWATHA KS 66434

RE: Water Right, File Nos. 43,094 & 43,261; Appropriation of Water, File Nos. 47,156; 48,770; & 48,771

Dear Sir or Madam:

Enclosed are the orders executed by the 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 enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file numbers. Please return the required notification of completion of the diversion works and/or installation of the required meter as soon as these actions are completed.

Since the orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions, please contact this office. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum
New Applications and Changes Supervisor
Division of Water Resources

KAB: kjn
Enclosure(s)

pc: Topeka Field Office
Precision Farms
George G Dietrich Trust
Elmer F Dietrich Trust
Terry & Dayton Menold
Keith & Andrea Grimm Living Trust
Jameson Family Farms LLC
Austin N & Rhoda M Heise Rev Living Trust

CERTIFICATE OF SERVICE

On this 8 day of July, 2021, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 43,261, dated 1 July, 2021 was mailed postage prepaid, first class, US mail to the following:

DOUG & JERYL GRIMM
1215 OREGON ST
HIAWATHA KS 66434

With photocopies to:

GEORGE G & MARY ANNE DIETRICH
3221 SW 32ND ST
TOPEKA, KS 66614

PRECISION FARMS
2595 GOLDFINCH RD
HIAWATHA KS 66434

JIMESON FAMILY FARMS LLC
325 BRISTOL RD
WEBSTER GROVES, MO 63119

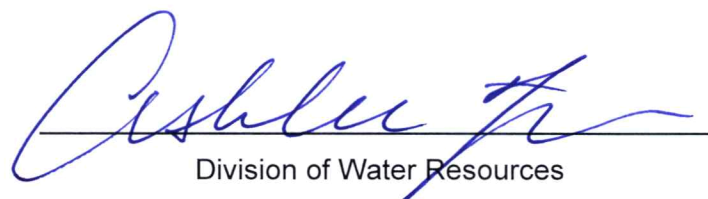
KEITH & ANDREA GRIMM LIVING TRUST
2595 GOLDFINCH RD
HIAWATHA, KS 66434

ELMER F DIETRICH TRUST
2966 GOLDFISH RD
HIAWATHA, KS 66434

AUSTIN N & RHODA M HEISE REV LIVING TRUST
14561 BIRCH ST
LEAWOOD KS 66224

TERRY & DAYTON MENOLD
886 300TH ST
HIAWATHA KS 66434

Topeka Field Office


Division of Water Resources