



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

Phone: 785-296-5733  
www.agriculture.gov

Mike Beam, Secretary

Laura Kelly, Governor

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:lh  
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.

File No. 47093

**RECEIVED**  
 3:53 PM  
**SEP 08 2020**  
 Topeka Field Office  
 DIVISION OF WATER RESOURCES

1. 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: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land --- NAME: \_\_\_\_\_

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

(If there is more than one landowner, attach \_\_\_\_\_)

See Supplemental Sheet

Sec.	Twp.	Range	NE¼				SE¼	SE¼				TOTAL ACRES	
			NE¼	NW¼	SW¼	SE¼		NE¼	NW¼	SW¼	SE¼		

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: \_\_\_\_\_

(If there is more than one landowner, attach \_\_\_\_\_)

See Supplemental Sheet

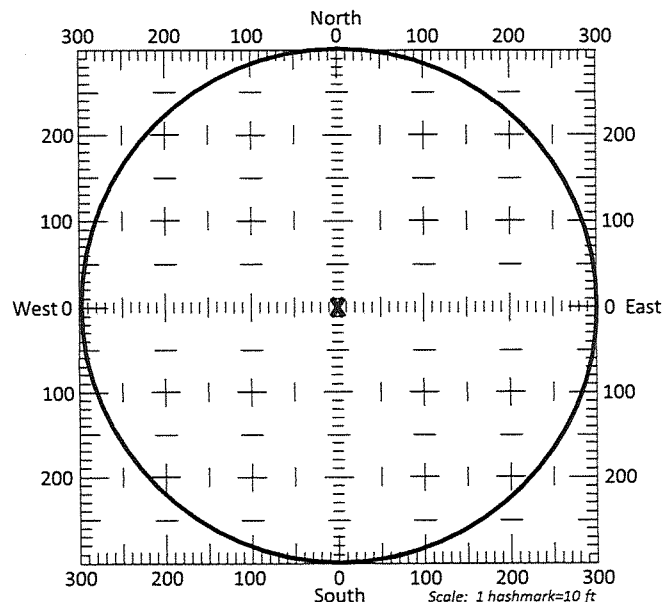
Sec.	Twp.	Range	NE¼				SE¼	SE¼				TOTAL ACRES	
			NE¼	NW¼	SW¼	SE¼		NE¼	NW¼	SW¼	SE¼		

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

5. **Presently authorized point of diversion:**  
 One in the SW Quarter of the NW Quarter of the SE Quarter of Section 16, Township 33 South, Range 25 EAST, in Cherokee County, Kansas, 1574 feet North 2545 feet West of Southeast corner of section.  
 Authorized Rate 750 gpm Authorized Quantity 98 AF Depth of well N/A (feet)  
**(DWR use only: Computer ID No. 74638 GPS 37.16739 feet North -94.67631 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 \_\_\_\_\_

6. **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 \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
**(DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ 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 \_\_\_\_\_

7. The changes herein are desired for the following reasons?  
 (please be specific) To cover irrigated acres that are not currently authorized by the PU. Net irrigated acres will remain unchanged.
8. If a well, is the test hole log attached?  Yes  No
9. The change(s) (was)(will be) completed by?  
Upon approval
10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
N/A  
 (b) When will this be done? N/A
11. Groundwater Management District recommendation attached?  
 Yes  No
12. Assisted by Caleb Fabrycky TFO/Parsons



13a. If the proposed point of diversion will be relocated more than 300 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 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

13b. If the proposed point of diversion will be relocated within a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of 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 from the existing point of diversion, complete the following:

- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?  
 Yes     No    (If no, all owners must sign this application.)
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?  
 Yes     No    (If yes, all owners must sign this application.)
- (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?  
 Yes     No    (If no, all owners must sign this application.)

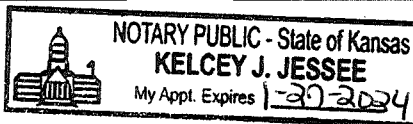
If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at 8-31-20, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

<u>Rick Jesse</u> (Owner)	_____	(Spouse)
<u>Rick Jesse</u> (Please Print)	_____	(Please Print)
<u>Wilbur Beatty</u> (Owner)	_____	(Spouse)
<u>Wilbur Beatty</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)

State of Kansas }  
County of Cherokee } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 31 day of August, 2020.

My Commission Expires 1-27-2024

Kelcey J. Jesse  
Notary Public

**ONLY COMPLETE APPLICATIONS WILL BE PROCESSED.** To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

**FEE SCHEDULE**

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

- (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




## CERTIFICATE OF SERVICE

On this 18<sup>th</sup> day of September, 2020, I hereby certify that the attached **APPROVAL OF APPLICATION FOR CHANGE IN PLACE OF USE**, Appropriation of Water, File No. 47,093, dated September 18, 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

  
Staff

APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
**FILE NO. 47093**  
MAKE ADDITIONAL COPIES AS NECESSARY

3. *Continued:* The presently authorized place of use is:

Owner of Land — NAME: Jessee Living Trust

ADDRESS: Attn: Rick Jessee, 6878 SE Highway 160, Columbus, KS 66725

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	33S	25E	40		33	39													112

Owner of Land — NAME: Wilbur W & Wynonia L Beatty

ADDRESS: 28457 Fir Rd, Carl Junction, MO 64834

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	33S	25E								40				40					80

Owner of Land — NAME: Richard W Jessee

ADDRESS: Attn: David Brent Jessee, 5806 SE Highway 160, Columbus, KS 66725

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	33S	25E												1.5	4	40			45.5

4. *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

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	33S	25E	39		32	39				2.5	5.5			5.5	11.5	8.5	35.5		179

Owner of Land — NAME: Wilbur W & Wynonia L Beatty; Kevin & Antonette Beatty

ADDRESS: 28457 Fir Rd, Carl Junction, MO 64834

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	33S	25E								30.5			28						58.5

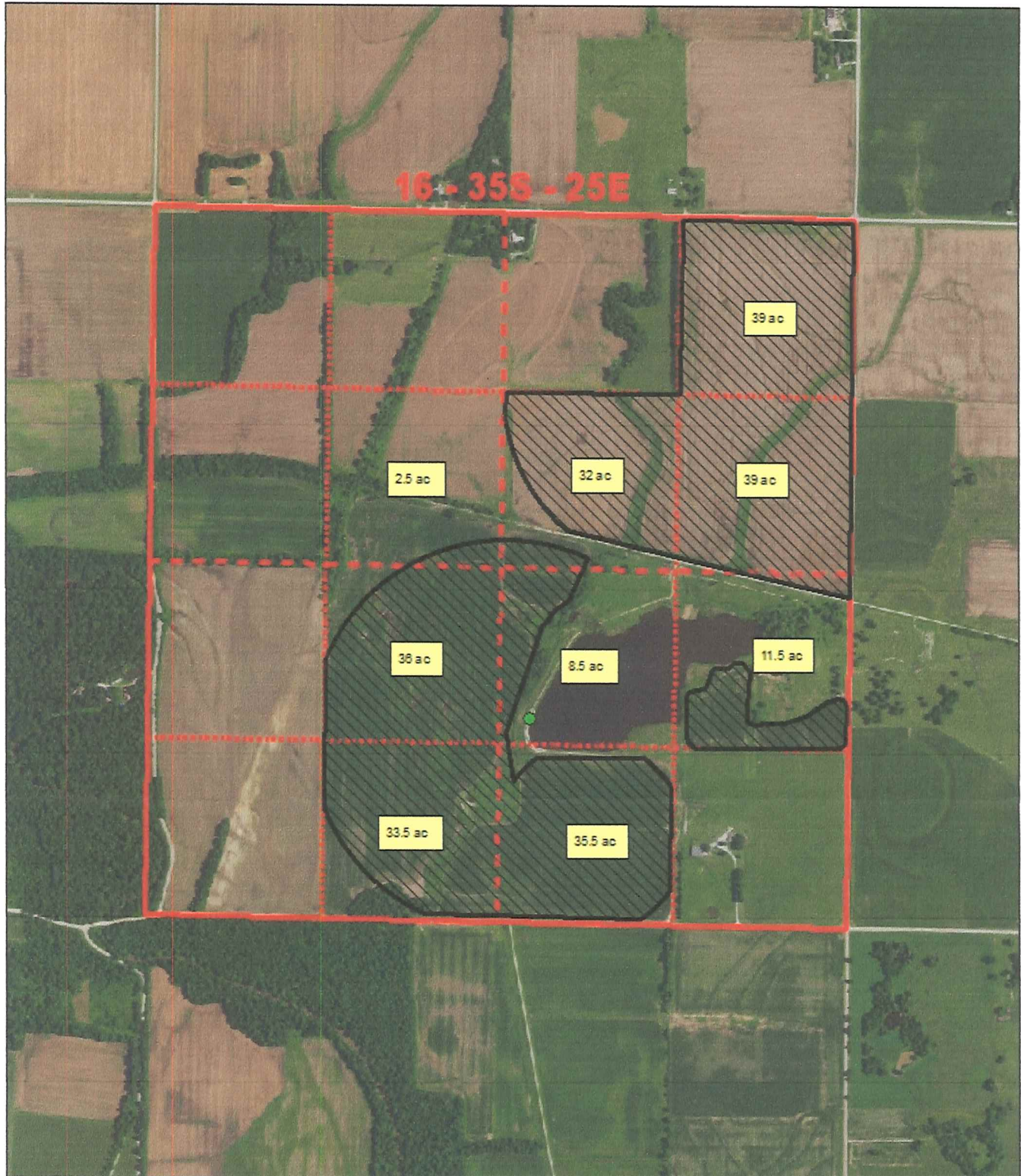
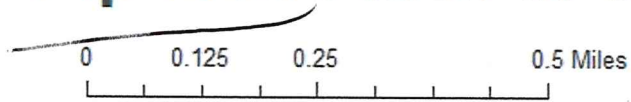
Owner of Land — NAME: \_\_\_\_\_

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	

# File Nos. 47093 & 49327 Proposed Place of Use

1:12,000





# File Nos. 47093 & 49327

## Current Place of Use

1:12,000

