

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

1. File Number: <b>48,008</b>	2. Status Change Date: <b>7/1/2021</b>	3. Change Num: <b>C1</b>	4. Field Office: <b>01</b>	5. GMD:
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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: <b>23-JULY-2018</b>
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<p>8a. Applicant(s) <span style="float: right;">Person ID <b>62261</b></span>          New to system <input type="checkbox"/> <span style="float: right;">Add Seq# <u>    </u></span></p> <p><b>GEORGE G &amp; MARY ANNE DIETRICH</b>  <b>3221 SW 32ND ST</b>  <b>TOPEKA, KS 66614</b></p>	<p>8b. Landowner(s) <span style="float: right;">Person ID <b>67862</b></span>          New to system <input checked="" type="checkbox"/> <span style="float: right;">Add Seq# <u>    </u></span></p> <p><b>GEORGE G DIETRICH TRUST</b>  <b>3221 SW 32ND ST</b>  <b>TOPEKA KS 66614</b></p> <p style="text-align: right;">Person ID <b>63319</b></p> <p>8c. <b>ELMER F DIETRICH TRUST</b>  <b>2966 GOLDFINCH RD</b>  <b>HIAWATHA KS 66434</b></p> <p style="text-align: center;"><b>Dayra</b></p> <p>8d. <b>TERRY &amp; DAYTON MENOLD</b>  <b>886 300TH ST</b>  <b>HIAWATHA KS 66434</b></p> <p style="text-align: right;">Person ID <b>65629</b></p>
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<p>WUR Correspondent <span style="float: right;">Person ID <b>60054</b></span>          New to system <input type="checkbox"/> <span style="float: right;">Add Seq# <u>    </u></span>          Overlap File (s) WUC <span style="float: right;">Notarized WUC Form <input type="checkbox"/></span>          Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><del><b>KEITH GRIMM</b></del> <span style="float: right;"><b>Terry &amp; Dayra Menold *</b></span>  <del><b>1215 OREGON ST</b></del>  <del><b>HIAWATHA, KS 66434</b></del></p>	<p>8e. <b>DOUG &amp; JERYL GRIMM</b> <span style="float: right;">Person ID <b>51988</b></span>  <b>1215 OREGON ST</b>  <b>HIAWATHA KS 66434</b></p> <p>8f. <b>PRECISION FARMS</b> <span style="float: right;">Person ID <b>62981</b></span>  <b>2595 GOLDFINCH RD</b>  <b>HIAWATHA KS 66434</b></p>
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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: \_\_\_\_\_

**\* See email from BLB attached for WUC change explanation.**

Date Prepared: **4/7/21** By: **DWS**  
 Date Entered: **7/8/2021** By: **LMoody**

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

1. File Number: <b>48,008</b> <b>(continued)</b>	2. Status Change Date:	3. Change Num: <b>C1</b>	4. Field Office: <b>01</b>	5. GMD:
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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: <b>23-JULY-2018</b>
---	--

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

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

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** By: **LMoody**

File No. **48,008**      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	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

CHK	MOD	DEL	ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
									NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				
ENT	51724	8	1	16E	5									36	34	18	34		40	40		202	8e.	NO	*see below			
ENT	59992	9	1	16E	1									40	34	26.9	40					140.9	8e.	NO	*see below			
ENT	59993	9	1	16E	2											13.1					13.1	8f.	NO	*see below				
ENT	67564	10	1	16E	3									40	36	40	37					153	8e.	NO	*see below			
ENT	69175	17	1	16E														10	40	37	8	115.5	8f.	NO	*see below			
ENT	51374	29	1	16E	3	22	40	40	40													142	8e.	NO	*see below			
MOD	62616	21	1	16E	1					40	40	34.5	30	40	40	40	40					304.5	8b.	YES	*see below			
ENT	65061	28	1	16E	2					40	40					37						117	8b.	YES	*see below			
ENT	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.

Base Acres:      Year:      Minimum Reasonable Quantity:      Comments:      7/7/2021  
KAB      6/23/2021  
KJN

File No. **48,008**  
**(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  
 Qualifier      S      T      R      ID      'N      'W      Comment (AKA Line)  
 Rate and Quantity  
 Authorized      Additional  
 Rate      Quantity      Rate      Quantity  
 gpm/cfs      af/mgy      gpm/cfs      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 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									30			30					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.

Base Acres:      Year:      Minimum Reasonable Quantity:      Comments: 7/7/2021 KAB      **TOTAL ACRES = 2,994.7 ACRES**

**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~~ acres. The existing permits and new applications are summarized below:  
2,994.7

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
<b>49,878</b>	<b>Reservoir</b>	<b>270</b>	<b>Natural Flows</b>	<b>267</b>	<b>1200</b>	<b>None</b>
<b>PENDING APPLICATIONS</b>						
49,974	Reservoir	160	Natural Flows	160	1000	None
50,061	Pump site	--- --	--- --	673	1500	None
<b>50,065</b>	<b>Pump site</b>	<b>--- --</b>	<b>--- --</b>	<b>270</b>	<b>2000</b>	<b>820 AF when combined with all senior files on the authorized place of use of 820 acres</b>
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.

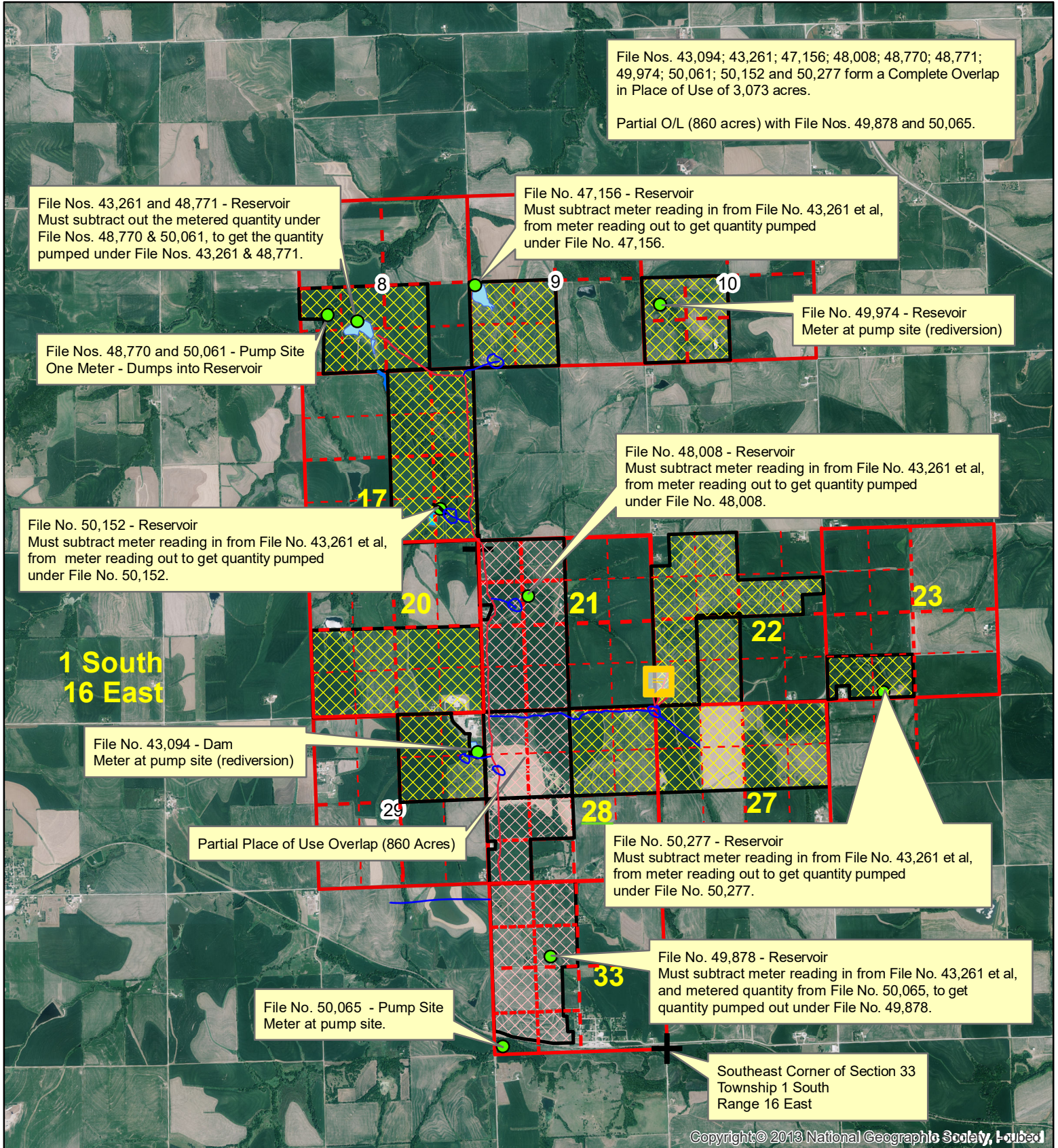
6/23/2021  
KJN

Doug Schemm  
Environmental Scientist  
Topeka Field Office

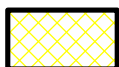


1:48,000

# METERING MAP FOR BIG PROJECT



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Place of Use



Place of Use (Partial O/L)

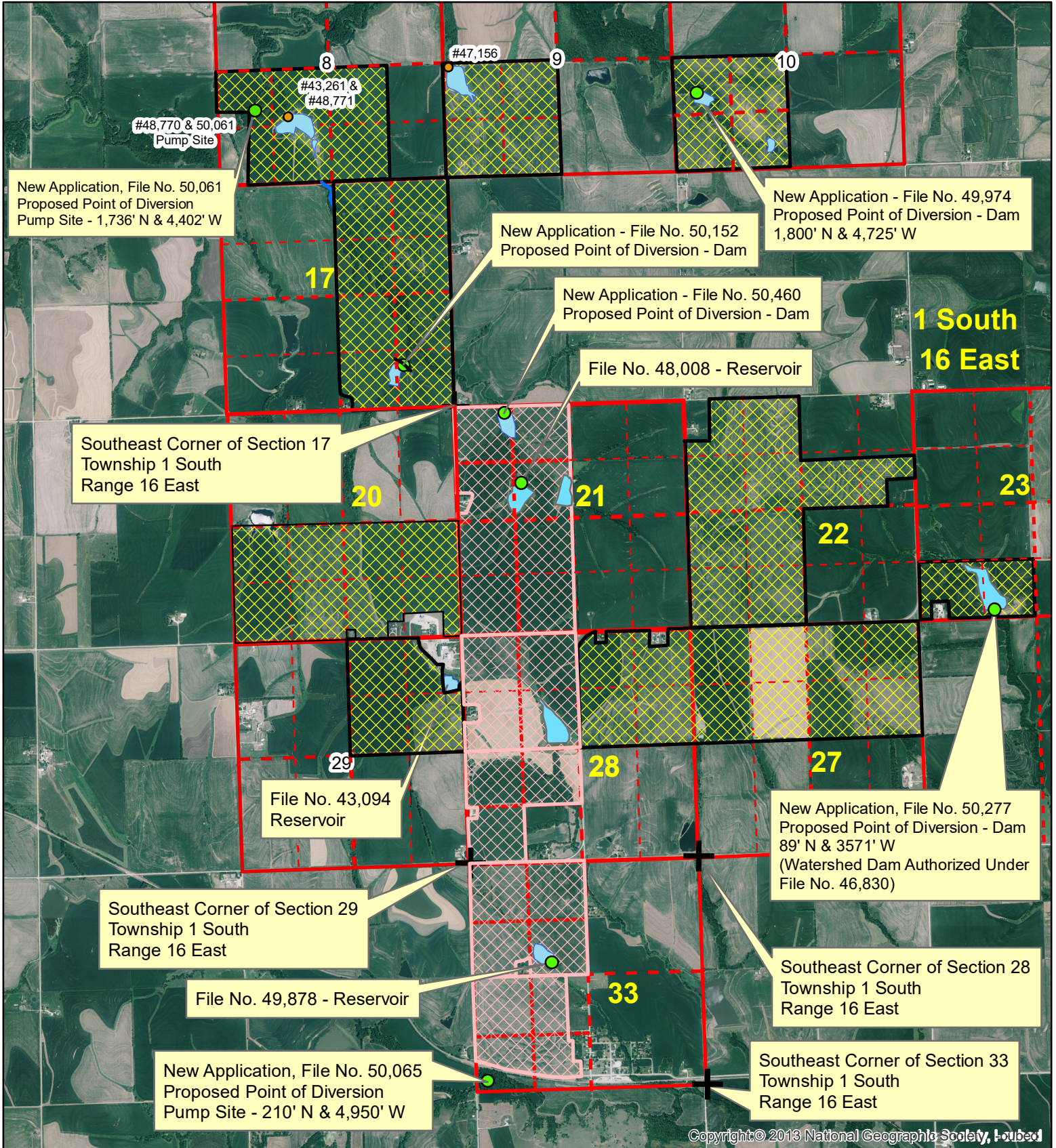


Points of Diversion



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 APPROPRIATION OF WATER FILE NO. 48,008

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of George G. & Mary Anne Dietrich, 3221 SW 32<sup>nd</sup> St., Topeka, Kansas 66614, received in this office on July 23, 2018, for approval of a change in the location of the place of use under the Approval of Application, File No. 48,008 for permit to appropriate water for beneficial use, 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	NE¼				NW¼				SW¼				SE¼				TOTAL
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
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 Approval of Application, File No. 48,008, for permit to appropriate water for beneficial use, is as stated and set forth in the approval dated July 17, 2012.

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



*Earl D. Lewis, Jr.*  
\_\_\_\_\_  
Earl D. Lewis, Jr., P.E.  
Chief Engineer  
Division of Water Resources  
Kansas Department of Agriculture

State of Kansas            )  
  ) SS  
County of Riley            )

The foregoing instrument was acknowledged before me this *1<sup>st</sup>* 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*

From: [Bunger, Brett \[KDA\]](#)  
To: [Baum, Kristen \[KDA\]](#)  
Cc: [Moody, Laura \[KDA\]](#)  
Subject: RE: Big Grimm Package WUC  
Date: Thursday, July 8, 2021 7:32:51 AM

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I am sorry I was out yesterday. I thought this sounded a little fishy so I called Keith. Everything should go to Keith except for File Nos. 48008; 49878 & 50065. The water use for those files should be directed to Terry & Dayra Menold.. Person ID #65629

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**From:** Baum, Kristen [KDA] <Kristen.Baum@ks.gov>  
**Sent:** Wednesday, July 7, 2021 3:23 PM  
**To:** Bunger, Brett [KDA] <Brett.Bunger@ks.gov>  
**Cc:** Moody, Laura [KDA] <Laura.Moody@ks.gov>  
**Subject:** Big Grimm Package WUC

Hi Brett,

Laura is getting these entered into WRIS so we are on the home stretch. Doug has Keith Grimm as the WUC for everything but 49878. He is keeping Menold as the WUC for it. This is the reservoir in the south part of the 820 acres (just north of the pump site that may not be developed). Should we switch this to Keith?

Kristen A. Baum  
Division of Water Resources – Water Appropriations  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan KS 66502  
(785) 564-6627



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

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

RE: Appropriation of Water, File No. 48,008

Dear Sir or Madam:

Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number. 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 order modifies the original document referred to above, it 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,

A handwritten signature in cursive script that reads "Kristen A. Baum".

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. 48,008, dated 1 July, 2021 was mailed postage prepaid, first class, US mail to the following:

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

With photocopies to:

DOUG & JERYL GRIMM  
1215 OREGON ST  
HIAWATHA KS 66434

PRECISION FARMS  
2595 GOLDFINCH RD  
HIAWATHA KS 66434

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

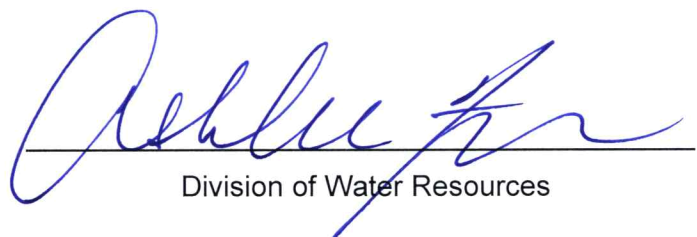
KEITH & ANDREA GRIMM LIVING TRUST  
2595 GOLDFINCH RD  
HIAWATHA, KS 66434

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  
886 300<sup>TH</sup> ST  
HIAWATHA KS 66434

Topeka Field Office



Division of Water Resources