

Kansas Department of Agriculture  
Division of Water Resources  
**PERMIT OF NEW APPLICATION WORKSHEET**

1. File Number: <b>50,061</b>	2. Status Change Date: <b>7/1/2021</b>	3. Field Office: <b>1</b>	4. GMD:
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
<p>7a. Applicant(s)                      Person ID <b>62261</b> New to system <input type="checkbox"/>                      Add Seq# _____</p> <p><b>GEORGE G &amp; MARY ANNE DIETRICH</b> <b>3221 SW 32ND ST</b> <b>TOPEKA KS 66614</b></p>	<p>7c. Landowner(s)                      Person ID <b>63319</b> New to system <input type="checkbox"/>                      Add Seq# _____</p> <p><b>ELMER F DIETRICH TRUST</b> <b>2966 <span style="background-color: yellow;">GOLDFINCH RD</span></b> <b>HIAWATHA KS 66434</b></p>		
<p>7b. Landowner(s)                      Person ID <b>67862</b> New to system <input checked="" type="checkbox"/>                      Add Seq# _____</p> <p><b>GEORGE G DIETRICH TRUST</b> <b>3221 SW 32ND ST</b> <b>TOPEKA KS 66614</b></p>	<p>7d. <b>TERRY &amp; DAYTON MENOLD</b> <b>886 300TH ST</b> <b>HIAWATHA KS 66434</b>                      Person ID <b>65629</b></p> <p>7e. <b>DOUG &amp; JERYL GRIMM</b> <b>1215 OREGON ST</b> <b>HIAWATHA KS 66434</b>                      Person ID <b>51988</b></p> <p>7f. <b>PRECISION FARMS</b> <b>2595 GOLDFINCH RD</b> <b>HIAWATHA KS 66434</b>                      Person ID <b>62981</b></p>		
<p>8. WUR Correspondent                      Person ID <b>60054</b> New to system <input type="checkbox"/>                      Add Seq# _____ Overlap File (s) WUC                      Notarized WUC Form <input type="checkbox"/> Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>KEITH GRIMM</b> <b>1215 OREGON ST</b> <b>HIAWATHA, KS 66434</b></p>	<p>9. Use of Water:    Changing?    <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No</p> <p style="padding-left: 40px;"><input type="checkbox"/> Groundwater                      <input checked="" type="checkbox"/> Surface Water</p> <p><input checked="" type="checkbox"/> IRR                      <input type="checkbox"/> REC                      <input type="checkbox"/> DEW                      <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK                      <input type="checkbox"/> SED                      <input type="checkbox"/> DOM                      <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG    <input type="checkbox"/> WTR PWR                      <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____    <input type="checkbox"/> OTHER: _____</p>		
10. Completion Date: <b>12/31/2022</b>		11. Perfection Date: <b>12/31/2026</b>	
12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
<p>Date Prepared: <b>4/7/2021</b>                      By: <b>DWS</b></p> <p>Date Entered:                      <span style="border: 1px solid blue; padding: 2px;">7/12/2021</span> By: <b>LMoody</b></p>			



File No. **50,061**      15. Formation Code:      Drainage Basin: **SF BIG NEMAHA River**      County: **BR**      Special Use:      Stream: **PONY CREEK (SF BIG NEMAHA RIVER)**

16. Points of Diversion										17. Rate and Quantity					
T	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized		Additional		
ENT											Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
<b>CH</b>	<b>81999</b>	<b>SE NW SW</b>		<b>8</b>	<b>1</b>	<b>16E</b>	<b>9</b>	<b>1736</b>	<b>4402</b>		<b>1500</b>	<b>673</b>	<b>1500</b>	<b>673</b>	<b>48,770</b>

18. Storage: Rate \_\_\_\_\_ NF      Quantity \_\_\_\_\_ ac/ft      Additional Rate \_\_\_\_\_ NF      Additional Quantity \_\_\_\_\_ ac/ft

19. Limitation: **820** af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s): **43094, 43261, 47156, 48008, 48770, 48771, 49878,**  
 Limitation: **6/24/2021** af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s): **49974 on W2s of Sections 21, 28 and 33**  
**KAB**

20. Meter Required?  Yes  No      To be installed by **12/31/2022**      Date Acceptable Meter Installed \_\_\_\_\_

21. Place of Use						NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO/YES	Overlap Files		
T	MOD	DEL	PUSE	S	T	R	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					
<b>ENT</b>	<b>51724</b>	<b>8</b>	<b>1</b>	<b>16E</b>	<b>5</b>										36	34	18	34		40	40			<b>202</b>	<b>7e.</b>	<b>NO</b>	<b>*see below</b>
<b>ENT</b>	<b>59992</b>	<b>9</b>	<b>1</b>	<b>16E</b>	<b>1</b>										40	34	26.9	40						<b>140.9</b>	<b>7e.</b>	<b>NO</b>	<b>*see below</b>
<b>ENT</b>	<b>59993</b>	<b>9</b>	<b>1</b>	<b>16E</b>	<b>2</b>												13.1							<b>13.1</b>	<b>7f.</b>	<b>NO</b>	<b>*see below</b>
<b>MOD</b>	<b>67564</b>	<b>10</b>	<b>1</b>	<b>16E</b>	<b>3</b>										40	<b>36</b>	40	37						<b>153</b>	<b>7e.</b>	<b>NO</b>	<b>*see below</b>
<b>ENT</b>	<b>69175</b>	<b>17</b>	<b>1</b>	<b>16E</b>			1.5	19											10	40	37	8		<b>115.5</b>	<b>7f.</b>	<b>NO</b>	<b>*see below</b>
<b>ENT</b>	<b>51374</b>	<b>29</b>	<b>1</b>	<b>16E</b>	<b>3</b>	22	40	40	40															<b>142</b>	<b>7e.</b>	<b>NO</b>	<b>*see below</b>
<b>MOD</b>	<b>62616</b>	<b>21</b>	<b>1</b>	<b>16E</b>	<b>1</b>					<b>34</b>	<b>35</b>	<b>34.5</b>	<b>30</b>	<b>40</b>	<b>40</b>	<b>40</b>	<b>40</b>							<b>293.5</b>	<b>7b.</b>	<b>YES</b>	<b>*see below</b>
<b>CHK</b>	<b>65061</b>	<b>28</b>	<b>1</b>	<b>16E</b>	<b>2</b>					40	40						37							<b>117</b>	<b>7b.</b>	<b>YES</b>	<b>*see below</b>
<b>MOD</b>	<b>65063</b>	<b>28</b>	<b>1</b>	<b>16E</b>	<b>3</b>							<b>36.8</b>	<b>30.2</b>	40	40									<b>147</b>	<b>7c.</b>	<b>NO</b>	<b>*see below</b>
<b>ENT</b>	<b>68472</b>	<b>33</b>	<b>1</b>	<b>16E</b>	<b>1</b>					40	40	37.5	38											<b>155.5</b>	<b>7d.</b>	<b>NO</b>	<b>*see below</b>
<b>ENT</b>	<b>68473</b>	<b>33</b>	<b>1</b>	<b>16E</b>	<b>1</b>									25	40	22	20							<b>107</b>	<b>7b.</b>	<b>YES</b>	<b>*see below</b>

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.

File No. **50,061**  
**(continued)**

15. Formation Code:

Drainage Basin: **SF BIG NEMAHA River**

County: **BR**

Special Use:

Stream: **PONY CREEK (SF BIG NEMAHA RIVER)**

16. Points of Diversion

T	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
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17. Rate and Quantity

Authorized		Additional		Overlap PD Files
Rate gpm	Quantity af	Rate gpm	Quantity af	

18. Storage: Rate \_\_\_\_\_ NF Quantity \_\_\_\_\_ ac/ft Additional Rate \_\_\_\_\_ NF Additional Quantity \_\_\_\_\_ ac/ft

19. Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s): \_\_\_\_\_  
Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s): \_\_\_\_\_

20. Meter Required?  Yes  No To be installed by **12/31/2022** Date Acceptable Meter Installed \_\_\_\_\_

21. Place of Use

T	MOD	DEL	ENT	PUSE	S	T	R	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO/YES	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				70158	17	1	16E	3	40	38.5	21	40								30			30	199.5	7g.	NO	*see below
			ENT				70156	20	1	16E	2							40	40	40	40	40	40	40	36.3	28.3	304.6	7i.	NO	*see below
			ENT				69573	22	1	16E	1							40			40					80	7g.	NO	*see below	
			ENT				70157	22	1	16E	2			34	22	40	28	40	40		40	40					284	7i.	NO	*see below
	MOD						69574	23	1	16E	4											32	33			65	7g.	NO	*see below	
			ENT				65062	27	1	16E	3					40	40	40	40								160	7b.	NO	*see below
			ENT				69575	27	1	16E	4	40	40	40	40												160	7h.	NO	*see below
			ENT				70159	28	1	16E	5	37.1	38	40	40												155.1	7d.	NO	*see below
																TOTAL ACRES=				2994.7										

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 (820 acres).**

7/7/2021  
KAB

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**  
**MEMORANDUM**

**TO:** Files

**DATE:** April 8, 2021

**FROM:** Doug Schemm

**RE:** Application, File No. 50,061

George & Mary Anne Dietrich have filed the above referenced new application requesting 673 acre-feet of surface water at a diversion rate of 1,500 gallons per minute from an existing pump site. This requested rate of diversion appears to be reasonable to provide a large quantity of water in a short time period to fill existing reservoirs, and take advantage of high flow conditions on the stream, which may be of short duration. The pump site is located on Pony Creek in the S.F. Big Nemaha River Basin, in the Southwest Quarter of Section 8 in Township 1 South, Range 16 East, Brown County. The applicant has signed the application form stating that he has legal access to the point of diversion. The pump site is currently authorized under File No. 48,770.

Note this is a large and complex irrigation project with multiple owners and multiple reservoirs and pump sites. Although these water rights will share some physical features such as a pump site, reservoir, and pipeline, they will remain as separate files based on ownership. The owners have signed quit claim deeds to ensure this happens. The water pumped from the creek will be metered separately and be distributed through the supply pipeline to specific places of use, which will also be metered.

After further discussion, Mr. Grimm added additional acreage and submitted additional new and change applications. The final place of use comprises 2,994.7 acres. The existing permits and new applications are summarized below:

See attached table

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
<b>PENDING APPLICATIONS</b>						
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 other files on the authorized PU 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.

As noted above, File No. 48,770 overlaps in point of diversion (pump site). In addition, File Nos. 43,094; 43,261; 47,156; 48,008; 48,770; 48,771; 49,974; 50,152 and 50,277 will form a complete overlap in the total place of use of 2,994.7 acres after processing change in place of use applications. Note that File Nos. 49,878 and 50,065 are a partial overlap in place of use with all other files (860 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.

Notification letters were sent to upstream and downstream landowners regarding both the new application and the Change in Place of Use Application, File No. 48,008 on July 31, 2018. Harlan Bailey called our office on August 13, 2018 with general questions about the application. Mr. Bailey owns land upstream of the pump site and he is also the contracting officer for Pony Creek Watershed District #78. He was informed that the applicant had been granted permission to pump water under the senior file, and we discussed the specific permit conditioning. Mr. Bailey did not have any specific impairment claim. The WRIS database indicates there are several other prior surface water rights within a two (2) mile radius of the proposed point of diversion. Most of these water rights are located on different tributary streams and also involve storage of water in reservoirs (including several owned by Pony Creek Watershed District #78). Approval of this application will not impact any senior water rights.

Please note that Pony Creek is located within the South Fork Big Nemaha drainage basin, the eastern portion of which drains surface water directly from Kansas toward the Sac and Fox Nation of Missouri in Kansas and Nebraska, and the Iowa Tribe of Kansas & Nebraska Reservation. However, Pony Creek is located in the middle portion of the drainage basin, and surface water flows into the State of Nebraska for several miles, not directly from Kansas land onto Nation or Tribal land. Therefore, no notification of tribe or nation is required.

Per K.A.R 5-3-15, this application will be subject to specific conditions, which stipulate strict requirements for direct surface water diversion. These conditions include the stipulation that no diversion shall occur unless there is water available to satisfy all demands by senior water rights and permits, written or verbal permission from the Chief Engineer, or an authorized representative is required prior to diverting water, and streamflow cannot be stopped at the first riffle below the point of diversion while diversion is taking place. The application also complies with K.A.R 5-3-15 (c)(5) because the off-stream reservoirs will provide adequate water storage, and there is no need for direct diversion of water from July 1 through September 30. However, due to the geographical location of this pump site less than 3 stream miles from the Nebraska border, it is likely that permission to pump will be granted during the summer months, as long as no senior downstream water rights would be impaired.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed.

Memorandum  
File No. 50,061  
Page 3

Katie Tietsort, Water Commissioner, Topeka Field Office, recommended the referenced application be approved in a December 26, 2019 discussion. Based on the above discussion, the South Fork Big Nemaha River basin is open to new appropriations meeting specific criteria, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved, with the conditions discussed above, and in conjunction with the changes in place of use under the senior files and other pending new applications.

Doug Schemm  
Environmental Scientist  
Topeka Field Office

## IRRIGATION USE SUPPLEMENTAL SHEET

File No. \_\_\_\_\_

Name of Applicant (Please Print): Precision Farms

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

**Landowner of Record** NAME: DOUG & JERYL GRIMM

ADDRESS: 1215 OREGON ST, HIAWATHA KS 66434

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8	1S	16E									36	34	18	34			40	40	202
9	1S	16E									40	34	26.9	40					140.9
10	1S	16E									40	36	40	37					153
29	1S	16E	22	40	40	40													142

**Landowner of Record** NAME: PRECISION FARMS

ADDRESS: 2595 GOLDFINCH RD HIAWATHA KS 66434

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9	1S	16E											13.1						13.1
17	1S	16E		1.5	19										10	40	37	8	115.5

**Landowner of Record** NAME: AUSTIN N & RHODA M HEISE REV LIVING TRUST

ADDRESS: 14561 BIRCH ST, LEAWOOD, KS 66224

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
20	1S	16E									40	40	40	40	40	40	36.3	28.3	304.6
22	1S	16E			34	22	40	28	40	40		40	40						284

**TOTAL ACRES = 1,355.1**



2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): \_\_\_\_\_ %

Estimate the maximum land slope in the field(s): \_\_\_\_\_ %

c. Type of irrigation system you propose to use (check one):

- Center pivot                       Center pivot - LEPA                       "Big gun" sprinkler  
 Gravity system (furrows)                       Gravity system (borders)                       Sideroll sprinkler

Other, please describe: \_\_\_\_\_

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: \_\_\_\_\_ psi

(2) What is the sprinkler package design rate? \_\_\_\_\_ gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? \_\_\_\_\_ feet

(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

You may attach any additional information you believe will assist in informing the Division of the need for your request.

## IRRIGATION USE SUPPLEMENTAL SHEET

File No. \_\_\_\_\_

Name of Applicant (Please Print): GEORGE & MARY DIETRICH

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

**Landowner of Record** NAME: ELMER F DIETRICH TRUST

ADDRESS: 2966 GOLDFINCH RD, HIAWATHA KS 66434

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
28	1S	16E							36.8	30.2	40	40							147

**Landowner of Record** NAME: GEORGE G DIETRICH TRUST

ADDRESS: 3321 SW 32<sup>ND</sup> ST, TOPEKA, KS 66614

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21	1S	16E					34	35	34.5	30	40	40	40	40					293.5
27	1S	16E					40	40	40	40									160
28	1S	16E					40	40					37						117
33	1S	16E									25	40	22	20					107

**Landowner of Record** NAME: TERRY & DAYTON MENOLD

ADDRESS: 886 300<sup>TH</sup> ST, HIAWATHA, KS 66434

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
28	1S	16E	37.1	38	40	40													155.1
33	1S	16E					40	40	37.5	38									155.5

**TOTAL ACRES = 1,135.1**

2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): \_\_\_\_\_ %

Estimate the maximum land slope in the field(s): \_\_\_\_\_ %

c. Type of irrigation system you propose to use (check one):

\_\_\_\_\_ Center pivot                      \_\_\_\_\_ Center pivot - LEPA                      \_\_\_\_\_ "Big gun" sprinkler

\_\_\_\_\_ Gravity system (furrows)                      \_\_\_\_\_ Gravity system (borders)                      \_\_\_\_\_ Sideroll sprinkler

Other, please describe: \_\_\_\_\_

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: \_\_\_\_\_ psi

(2) What is the sprinkler package design rate? \_\_\_\_\_ gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? \_\_\_\_\_ feet

(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

You may attach any additional information you believe will assist in informing the Division of the need for your request.

## IRRIGATION USE SUPPLEMENTAL SHEET

File No. \_\_\_\_\_

Name of Applicant (Please Print): KEITH GRIMM

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

**Landowner of Record** NAME: KEITH & ANDREA GRIMM LIVING TRUST

ADDRESS: 2595 GOLDFINCH RD, HIAWATHA KS 66434

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
17	1S	16E	40	38.5	21	40									30				30	199.5
22	1S	16E									40									80
23	1S	16E											32	33						65

**Landowner of Record** NAME: JIMESON FAMILY FARMS, LLC

ADDRESS: 325 BRISTOL RD, WEBSTER GROVES, MO 63119

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
27	1S	16E	40	40	40	40														160

**TOTAL ACRES = 504.5**

**Landowner of Record** NAME: \_\_\_\_\_

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

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

**TOTAL ACREAGE = 2994.7**

**ACRES**

2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): \_\_\_\_\_ %

Estimate the maximum land slope in the field(s): \_\_\_\_\_ %

c. Type of irrigation system you propose to use (check one):

- Center pivot     
  Center pivot - LEPA     
  "Big gun" sprinkler  
 Gravity system (furrows)     
  Gravity system (borders)     
  Sideroll sprinkler

Other, please describe: \_\_\_\_\_

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: \_\_\_\_\_ psi

(2) What is the sprinkler package design rate? \_\_\_\_\_ gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? \_\_\_\_\_ feet

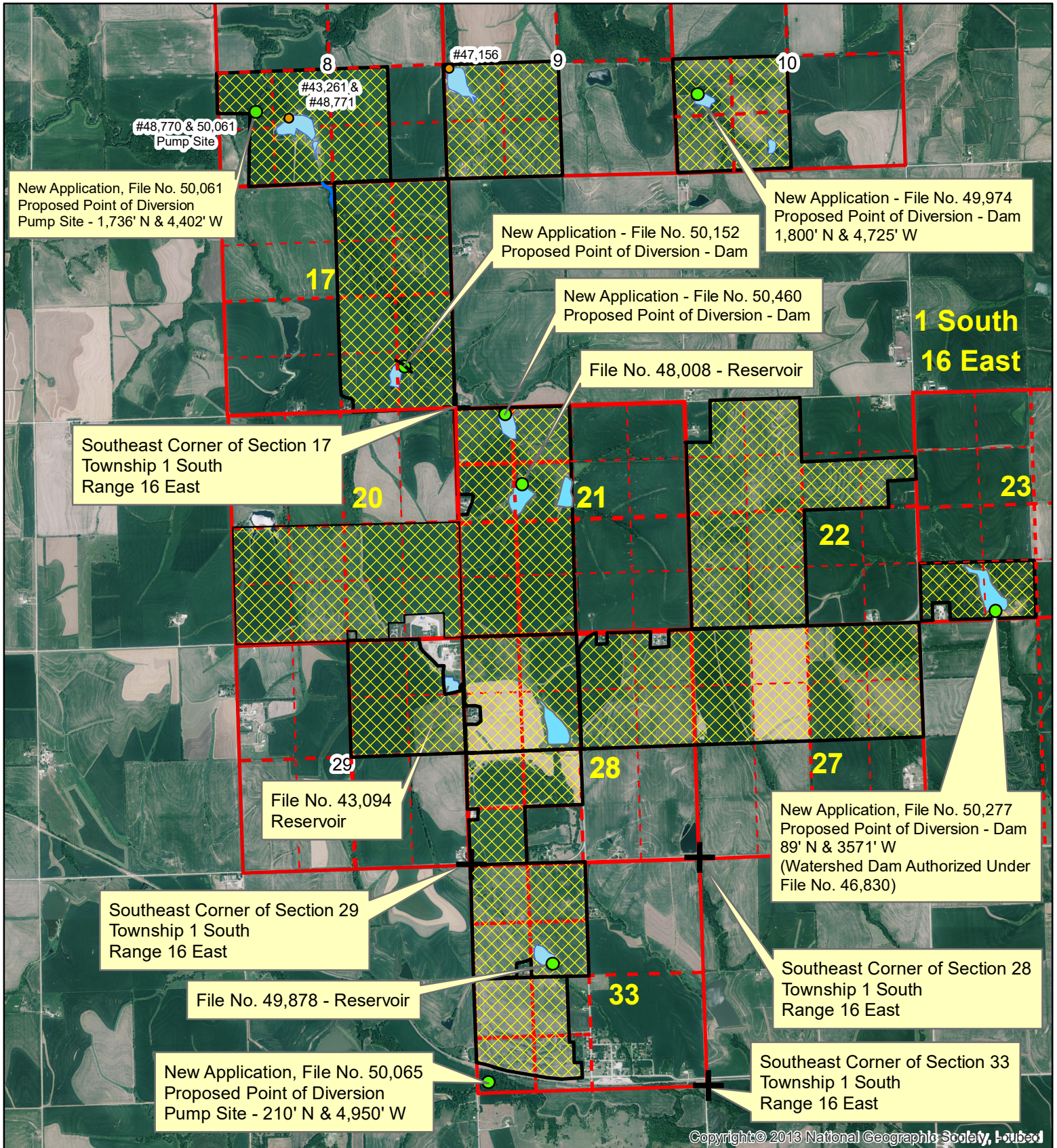
(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

You may attach any additional information you believe will assist in informing the Division of the need for your request.

REVISED PLACE OF USE SITE MAP FOR NEW  
 1:36,000 APPLICATIONS, FILE NOS. 49,974; 50,061; 50,152; 50,277; and 50,460



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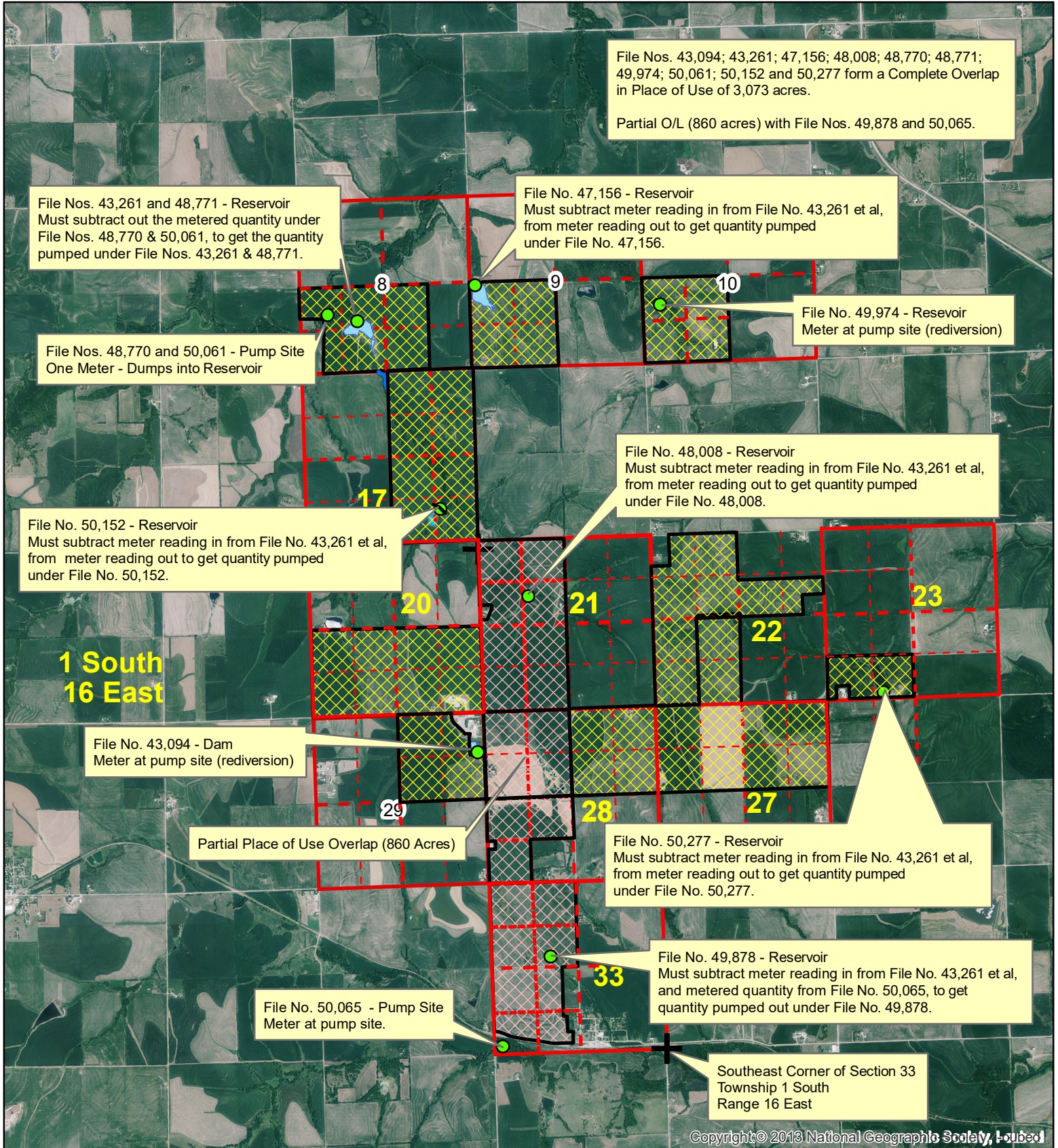


Proposed Place of Use

● Points of Diversion

1:48,000

# METERING MAP FOR BIG PROJECT



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Place of Use



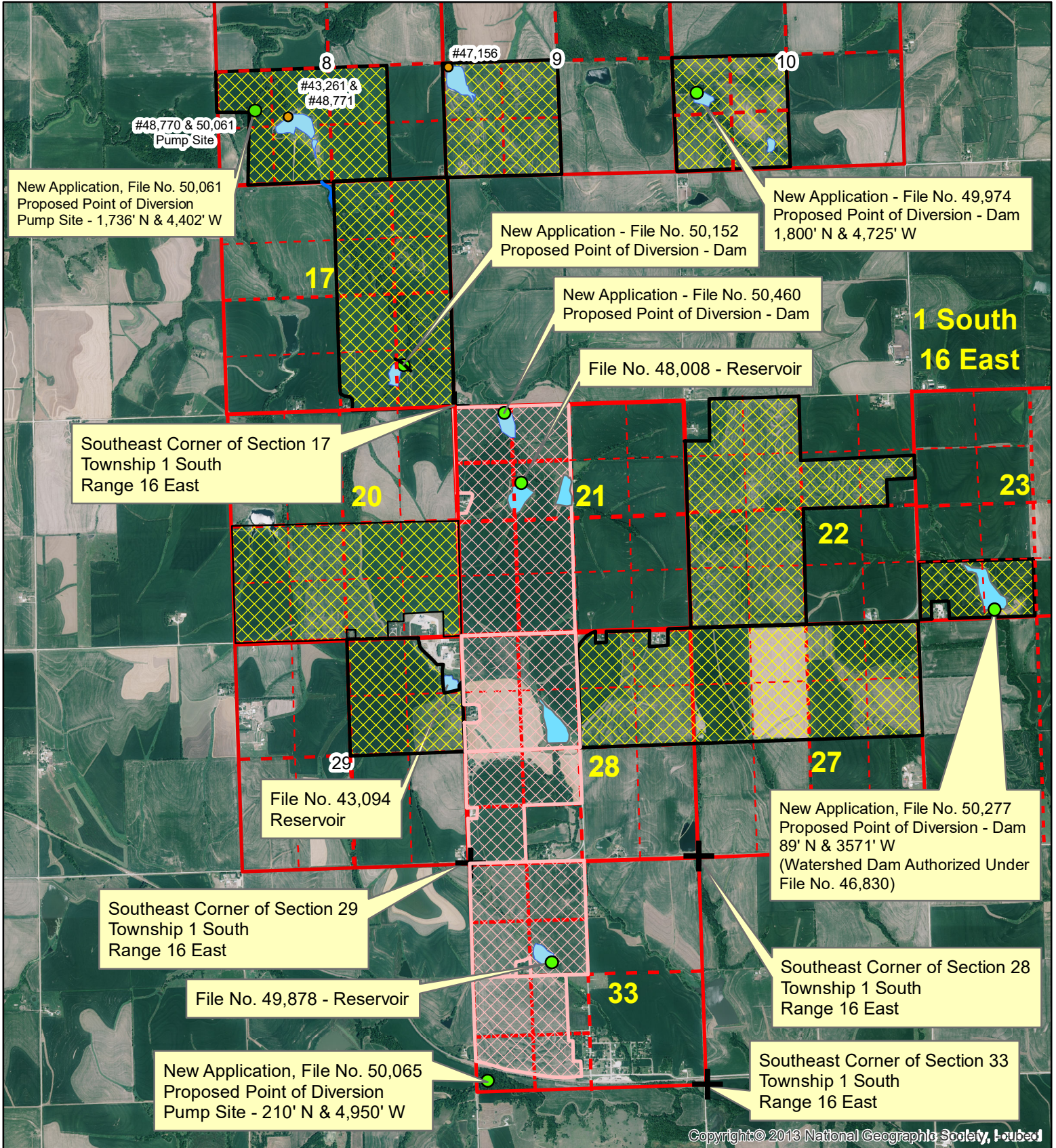
Place of Use (Partial O/L)



Points of Diversion

1:36,000

REVISED PLACE OF USE  
OVERLAP SITE MAP



Proposed Place of Use



Partial Overlap PU (820 Acres)

● Points of Diversion



## Schemm, Doug [KDA]

---

**From:** mwivalley@gmail.com  
**Sent:** Wednesday, December 18, 2019 4:29 PM  
**To:** Schemm, Doug [KDA]  
**Cc:** Bunger, Brett [KDA]  
**Subject:** RE: Big overlap permit!!  
**Attachments:** Grimm Big Project Metering Map 12-18.pdf

*EXTERNAL:* This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Doug

So I have attached a sketch over this map of where the line runs. Each of the circles is a metering point that meters the water from 43261 into each of the sites so we can keep track of what is going on. Hope that helps.

Just FWI on the bottom of the map to the left side below section 29 you will see a blue line drawn east and west. I must of put it there but couldn't figure out how to erase it so disregard that!!

Thanks Keith

---

**From:** Schemm, Doug [KDA] <Doug.Schemm@ks.gov>  
**Sent:** Wednesday, December 18, 2019 3:19 PM  
**To:** mwivalley@gmail.com  
**Cc:** Bunger, Brett [KDA] <Brett.Bunger@ks.gov>; Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>  
**Subject:** RE: Big overlap permit!!

Keith,

I have attached a map to indicate how quantities for each of these files would be determined based on the information you provided below.

Can you please review the map and make any modifications or additions that you wish. Anything you can add to further clarify things would be great.

Thank you,

Doug

---

**From:** [mwivalley@gmail.com](mailto:mwivalley@gmail.com) [<mailto:mwivalley@gmail.com>]  
**Sent:** Wednesday, November 27, 2019 5:23 PM  
**To:** Schemm, Doug [KDA] <Doug.Schemm@ks.gov>  
**Cc:** Bunger, Brett [KDA] <Brett.Bunger@ks.gov>  
**Subject:** RE: Big overlap permit!!

*EXTERNAL:* This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Doug

Looks good I will start from the north and work south and explain what we have

File 48770 and 50061 There is a meter for this pump and only serve this point. This has a pipe that dump directs into pond can go nowhere else so all this water has to leave through file 43261 and 48771 to go the the fields  
File 43261 and 48771 there is a meter at pump here that serves for this diversion only  
File 47156 meter is at center point of this pivot and will get moved to the pump if we connect this farm to the pipe line right now the only water able to go to this pivot come from this pump there is a discharge meter where water flows into pond from file 43261 or 48771 but as for now has to go through the pond to get to pivot.  
File 49974 is not built yet but will have meter at pump  
File 50152 can pump to all and there is a meter there going out of pump and one coming in for when we pump pond pack full from file 43261 ect  
File 43094 has its own meter and stand alone  
File 48008 has meter at pump going out of pond and one coming into pond from file 43261 ect  
File 49878 meter at pump and can only be applied to the 2 pivots at that site Pipe line does NOT connect there is a incoming meter for when 43261 dump in there  
File 50065 is not delvopled  
File 50277 has meter at pump site metering all water leaving site and also a return meter if water comes back in from 43261

Hope this helps and don't confuse I could try to draw this out if needed on a map

Happy thanks giving talk next week

Keith

---

**From:** Schemm, Doug [KDA] <[Doug.Schemm@ks.gov](mailto:Doug.Schemm@ks.gov)>  
**Sent:** Wednesday, November 27, 2019 10:09 AM  
**To:** [mwivalley@gmail.com](mailto:mwivalley@gmail.com)  
**Subject:** RE: Big overlap permit!!

Keith,  
I've put this together. Can you please add anything else that may help us understand the metering?  
Like are you putting separate meters on the pump site or one of the ponds, etc. Anything you can add would be great.  
Have a wonderful Thanksgiving,  
Doug

---

**From:** [mwivalley@gmail.com](mailto:mwivalley@gmail.com) [<mailto:mwivalley@gmail.com>]  
**Sent:** Thursday, November 21, 2019 2:15 PM  
**To:** Schemm, Doug [KDA] <[Doug.Schemm@ks.gov](mailto:Doug.Schemm@ks.gov)>  
**Subject:** RE: Big overlap permit!!

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So at each source there is a meter and it's a forward and reverse meter so counts a totalizer each way(separate from eachother) We have lots of other meters on site to account for where we are send water but those should be the only one that really matter. We do have a separate meter on the pipe that dumps down to Menolds clear south site that is not a complete overlap!! Is that sufficient or would you like more explanation ect.

Thanks so much!!

---

**From:** Schemm, Doug [KDA] <[Doug.Schemm@ks.gov](mailto:Doug.Schemm@ks.gov)>  
**Sent:** Thursday, November 21, 2019 1:52 PM  
**To:** [mwivalley@gmail.com](mailto:mwivalley@gmail.com)  
**Subject:** RE: Big overlap permit!!

Hello Keith, I've pretty much got the big project ready to move on to HQ for review. However, could you possibly provide some metering diagrams and a discussion of how this project will operate? We need to know how to account for the water from each of the multiple sources.  
Thanks, Doug

---

**From:** [mwivalley@gmail.com](mailto:mwivalley@gmail.com) [<mailto:mwivalley@gmail.com>]  
**Sent:** Wednesday, November 13, 2019 8:29 AM  
**To:** Schemm, Doug [KDA] <[Doug.Schemm@ks.gov](mailto:Doug.Schemm@ks.gov)>  
**Subject:** RE: Big overlap permit!!

*EXTERNAL:* This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Yes it does Thanks !!!!!!!!!!!!!!!

---

**From:** Schemm, Doug [KDA] <[Doug.Schemm@ks.gov](mailto:Doug.Schemm@ks.gov)>  
**Sent:** Wednesday, November 13, 2019 8:20 AM  
**To:** [mwivalley@gmail.com](mailto:mwivalley@gmail.com)  
**Subject:** RE: Big overlap permit!!

Hello Keith, I'm moving this along. One final go over, File No. 43,094 will be a PU and Use made of water change to IND use at the greenhouses (I sent you the UMW change). File Nos. 50,065 and 49,878 (down south pump site Terrapin Creek and reservoir) will stay on the Dietrich/Menold ground only (860 acres). All other new apps and changes will be complete overlap on the 3,035 acres. Does that sound right?  
Thanks, Doug

---

**From:** [mwivalley@gmail.com](mailto:mwivalley@gmail.com) [<mailto:mwivalley@gmail.com>]  
**Sent:** Friday, November 1, 2019 9:34 AM  
**To:** Schemm, Doug [KDA] <[Doug.Schemm@ks.gov](mailto:Doug.Schemm@ks.gov)>  
**Subject:** FW: Big overlap permit!!

*EXTERNAL:* This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Let send this through

I think we are finally ready to go!!

Thanks Keith

File No.	PD Type	Storage		Direct Use		Current Limitations	Proposed Limitations / Comments
		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	File No. 48,008 not included in overall limitation. Therefore, total to this point would be 655 AF + 136 AF = 791 AF.
49,878	Reservoir	270	Natural Flows	267	1200	None (820 ACRE PU)	Limitation: 820 AF when combined with all senior files on the authorized place of use of 820 acres described in this permit.
<b>PENDING APPLICATIONS</b>							
49,974	Reservoir	160	Natural Flows	160	1000		Limitation: 820 AF when combined with all senior files on the 820 acres in the West Half of Sections 21; 28; & 33 as described herein.
50,061	Pump site	--- --	--- --	673	1500		Limitation: 820 AF when combined with all senior files on the 820 acres in the West Half of Sections 21; 28; & 33 as described herein.
50,065	Pump site	--- --	--- --	270	2000	(820 ACRE PU)	Limitation: 820 AF when combined with all senior files on the 820 acres in the West Half of Sections 21; 28; & 33 as described in this permit.
50,152	Reservoir	480	Natural Flows	480	2000		Limitation: 820 AF when combined with all senior files on the 820 acres in the West Half of Sections 21; 28; & 33 as described herein.
50,277	Reservoir	353	Natural Flows	315	2000		Limitation: 820 AF when combined with all senior files on the 820 acres in the West Half of Sections 21; 28; & 33 as described herein.
50,460	Reservoir	510	Natural Flows	510 (38.7 Add)	2000		Limitation: 820 AF when combined with all senior files on the 820 acres in the West Half of Sections 21; 28; & 33 as described herein.  And Limited to 2,994.7 AF when combined with all senior files on the authorized place of use described in the permit.

# 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 and PERMIT TO PROCEED (This is not a Certificate of Appropriation)

This is to certify that I have examined Application File No. 50,061 of the applicant

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

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **May 31, 2018**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

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

3. That the authorized source from which the appropriation shall be made is surface water from Pony Creek (SF Big Nemaha), to be diverted at a pumpsite located in the Southeast Quarter of the Northwest Quarter of the Southwest Quarter (SE $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 8, more particularly described as being near a point 1,736 feet North and 4,402 feet West of the Southeast corner of said section, in Township 1 South, Range 16 East, Brown County, Kansas, located substantially as shown on the map accompanying the application.
4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **1,500 gallons per minute** (3.34 c.f.s.) and to a quantity not to exceed **673 acre-feet** of water for any calendar year.
5. That installation of works for diversion of water shall be completed on or before **December 31, 2022** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee, which is currently \$400.00, when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.
6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2026** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.
7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.
8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.
9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.
10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.
11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the 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.
12. That an acceptable water flow meter shall be installed on the diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and ending of the report year).

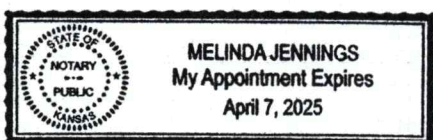
- 13. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.
- 14. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.
- 15. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.
- 16. That the stream flow shall not be stopped at the first riffle below the point of diversion while diversion is taking place under the authority of this water right or permit.
- 17. That diversion of natural flows shall not take place unless there is water available to satisfy all demands by senior water rights and permits.
- 18. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.
- 19. That during the period October 1 through June 30, the verbal or written permission of the Chief Engineer, or an authorized representative of the Chief Engineer, shall be obtained in order to divert water each time the applicant desires to divert water.
- 20. That during the period July 1 through September 30 each calendar year, no direct diversions of surface water shall be permitted unless written permission is obtained from the Chief Engineer, or the Chief Engineer's authorized representative.
- 21. That the quantity of water approved under this permit is further limited to the quantity which combined with Water Right, File Nos. 43,094 and 43,261; and Appropriation of Water, File Nos. 47,156; 48,008; 48,770; 48,771; 49,878 and 49,974, will provide a **total not to exceed 820 acre-feet** of water per calendar year for irrigation use on the land in the West Halves of Sections 21, 28 and 33 as described herein.

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, Division of Water Resources, Kansas Department of Agriculture.



*Melinda Jennings*  
 \_\_\_\_\_  
 Notary Public  
*Melinda Jennings*

### RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.



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

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

RE: Appropriation of Water, File No. 50,061

Dear Mr. and Mrs. Dietrich:

Enclosed is a permit authorizing you to proceed with construction of the proposed diversion works and to appropriate water for beneficial use as set forth in the permit. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in this permit. Notice must be filed on the enclosed form once the diversion works have been completed. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of this permit. If you need an extension of time, you must request it before the deadline for completion set forth in the permit. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this permit, with specific reference to **Paragraph Nos. 19 and 20, which describe the need for you to obtain permission prior to diverting water.** An acceptable water flowmeter must be installed on the diversion works authorized by this permit prior to using water. An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year. If a complete annual water use report is not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your report online at [www.kswaterusereport.org](http://www.kswaterusereport.org).

The approval of your application constitutes a permit to appropriate water. It does not give authority to construct any dam or other stream obstruction regulated by K.S.A. 82a-301 through 305a. It does not give authority to access any right-of-way or authorize trespassing upon or injury to public or private property. It may also be necessary for you to comply with other local, state or federal requirements. Enclosed is an informational sheet that sets forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your perfected water right. Additional information and applicable forms may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any questions or need assistance with any of these requirements, please contact our office at 785-564-6640 or your local Topeka Field Office at 785-296-5733. 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:dws  
Enclosure(s)

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

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

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

July 8, 2021

RE: Appropriation of Water, File No. 50,061

Dear Mr. and Mrs. Dietrich:

Enclosed is a permit authorizing you to proceed with construction of the proposed diversion works and to appropriate water for beneficial use as set forth in the permit. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in this permit. Notice must be filed on the enclosed form once the diversion works have been completed. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of this permit. If you need an extension of time, you must request it before the deadline for completion set forth in the permit. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this permit, with specific reference to **Paragraph Nos. 19 and 20, which describe the need for you to obtain permission prior to diverting water.** An acceptable water flowmeter must be installed on the diversion works authorized by this permit prior to using water. An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year. If a complete annual water use report is not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your report online at [www.kswaterusereport.org](http://www.kswaterusereport.org).

The approval of your application constitutes a permit to appropriate water. It does not give authority to construct any dam or other stream obstruction regulated by K.S.A. 82a-301 through 305a. It does not give authority to access any right-of-way or authorize trespassing upon or injury to public or private property. It may also be necessary for you to comply with other local, state or federal requirements. Enclosed is an informational sheet that sets forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your perfected water right. Additional information and applicable forms may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any questions or need assistance with any of these requirements, please contact our office at 785-564-6640 or your local Topeka Field Office at 785-296-5733. 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:dws  
Enclosure(s)

pc: Topeka Field Office  
Precision Farms  
Doug & Jeryl Grimm  
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<sup>th</sup> day of July, 2021, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,061, 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

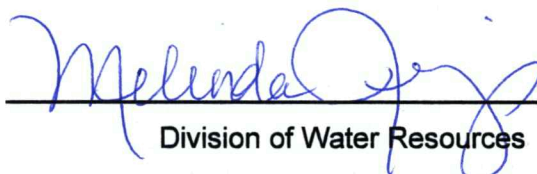
KEITH & ANDREA GRIMM LIVING TRUST  
2595 GOLDFINCH RD  
HIAWATHA, KS 66434

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

  
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Division of Water Resources