

11/07/2024

Water Resources
Received
1:02 PM

11/7/2024
BSchleicher

RECEIVED

NOV 06 2024
1:02 PM
Topeka Field Office
DIVISION OF WATER RESOURCES

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
http://agriculture.ks.gov/dwr

KS Dept Of Agriculture

**APPLICATION FOR APPROVAL TO
CHANGE THE PLACE OF USE, THE
POINT OF DIVERSION OR THE USE
MADE OF THE WATER UNDER AN
EXISTING WATER RIGHT**



State of Kansas

*Filing Fee Must Accompany the Application
(Please refer to Fee Schedule on signature page of application form.)*

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
- (Check one or more) Point of Diversion
- Use Made of Water

File No. 48064

2. Name of applicant: Grimm Bros LLC

Address: 570 280th St

City, State and Zip: Morrill KS 66515

Phone Number: (785)547-6702 E-mail address: kentmollygrimm@gmail.com

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: _____

Address: _____

City, State and Zip: _____

Phone Number: () _____ E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): To make a complete overlap in Place of use With the new application that has been filed for a new point of diversion

The change(s) (was) (will be) completed by 9/1/24 (Date)

For Office Use Only:																
F.O.	<u>1</u>	GMD	-	Meets K.A.R. 5-5-1	(YES/NO)	Use	<u>IRR</u>	Source	G	<u>S</u>	County	<u>BR</u>	By	<u>KJN</u>	Date	<u>11/12/24</u>
Code	<u>CPU</u>	Fee \$	<u>200</u>	TR #		Receipt Date	<u>11-6-24</u>	Check #	<u>2005</u>							

11/7/2024
BSchleicher

RECEIVED

NOV 06 2024

See Supplemental Sheet Attached

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

Topeka Field Office
DIVISION OF WATER RESOURCES

11/07/2024

Water Resources
Received

KS Dept Of Agriculture

4. The presently authorized point(s) of diversion (is) (are) 1 well and 1 point of diversion
(Provide description and number of points)

5. The proposed point(s) of diversion (is) (are) 1 well and 1 point of Diversion
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**

One in the SW Quarter of the NE Quarter of the SW Quarter of Section 36, Township 1 South, Range 15E (E/W), in Brown County, Kansas, 1835 feet North 3390 feet West of Southeast corner of section.
Authorized Rate 775 gpm Authorized Quantity 100 ac/ft

(DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)

This point will not be changed This point will be changed as follows:

Proposed point of diversion: (Complete only if change is requested)

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 _____

This point is: Additional Well Geo Center List other water rights that will use this point _____

9. **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 _____

(DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)

This point will not be changed This point will be changed as follows:

Proposed point of diversion: (Complete only if change is requested)

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 _____

This point is: Additional Well Geo Center List other water rights that will use this point _____

10. **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 _____

(DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)

This point will not be changed This point will be changed as follows:

Proposed point of diversion: (Complete only if change is requested)

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 _____

This point is: Additional Well Geo Center List other water rights that will use this point _____

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. _____

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

RECEIVED

11/7/2024
BSchleicher

NOV 06 2024

12. The presently authorized use of water is for irrigation _____ purposes.
It is proposed that the use be changed to _____ purposes.

KS Dept Of Agriculture

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

There is an added point of diversion in the system that will provide water to the additional acres of use that will have a
Complete overlap in place of use of this permit.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to 97 _____ (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to 250 _____ gallons per minute (____ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

a. If a change in the location of the point(s) of diversion is proposed, show:

- 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
- 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
- 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.

b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

This change only effects place of use change not point of diversion change

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

11/7/2024
BSchleicher

NOV 06 2024

RECEIVED
Topeka Field Office
DIVISION OF WATER RESOURCES

Water Resources
Received

File No. 48064

KS Dept Of Agriculture

Any use of water that is not as authorized by the water right or permit to authorize water before the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Morrille, Kansas, this 29 day of Oct, 20 24.

Kent Grimm
(Owner)

Molly Grimm
(Spouse)

Kent Grimm
(Please Print)

Molly Grimm
(Please Print)

Wayne Grimm
(Owner)

(Spouse)

Wayne Grimm
(Please Print)

(Please Print)

Darin Grimm
(Owner)

(Spouse)

Darin Grimm
(Please Print)

(Please Print)

State of Kansas }
County of _____ } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this _____ day of _____, 20____.

Notary Public

My Commission Expires _____

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
- (4) Application to change the use made of the water \$300

Make check payable to Kansas Department of Agriculture.

RECEIVED

11/7/2024
BSchleicher

NOV 06 2024

Topeka Field Office
DIVISION OF WATER RESOURCES

Existing Place of Use

11/07/2024

Water Resources
Received

KS Dept Of Agriculture

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Christopher W. Beightel, Acting Chief Engineer

CERTIFICATE OF APPROPRIATION
FOR BENEFICIAL USE OF WATER

WATER RIGHT, File No. 48,064

PRIORITY DATE February 7, 2012

WHEREAS, It has been determined by the undersigned that construction of the appropriation diversion works has been completed, that water has been used for beneficial purposes and that the appropriation right has been perfected, all in conformity with the conditions of approval of the application pursuant to the water right referred to above and in conformity with the laws of the State of Kansas.

NOW, THEREFORE, Be It Known that CHRISTOPHER W. BEIGHTEL, the duly appointed, qualified and acting Chief Engineer of the Division of Water Resources of the Kansas Department of Agriculture, by authority of the laws of the State of Kansas, and particularly K.S.A. 82a-714, does hereby certify that, subject to vested rights and prior appropriation rights, the appropriator is entitled to make use of **all natural flows** of an unnamed tributary to Terrapin Creek, identified in the office of the Chief Engineer as Terrapin Creek Tributary No. 5 (South Fork of the Big Nemaha River), to be incrementally accumulated to a maximum quantity not to exceed **141.5 acre-feet** of water per calendar year in a reservoir created by a dam located in the Southwest Quarter of the Northeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 36, more particularly described as being near a point 1,835 feet North and 3,390 feet West of the Southeast corner of said section, in Township 1 South, Range 15 East, Brown County, Kansas, to be rediverted at a rate of diversion not in excess of **775 gallons per minute (1.73 c.f.s)** and a quantity not to exceed **100 acre-feet** of water per calendar year, for **direct irrigation use** at the following location:

- 12.5 acres in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$),
- 5.0 acres in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$),
- 28.5 acres in the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$),
- 40.0 acres in the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$),
- 0.5 acre in the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$),
- 1.5 acres in the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$),
- 40.0 acres in the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$),
- 38.5 acres in the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$),
- 6.5 acres in the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$),
- 34.0 acres in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$),

a total of 207.0 acres in Section 35, Township 1 South,

(over)

11/7/2024
BSchleicher

RECEIVED

NOV 06 2024

Topeka Field Office
DIVISION OF WATER RESOURCES

33.0 acres in the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$),
 31.0 acres in the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$),
 38.0 acres in the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$),
 39.5 acres in the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$),
 5.0 acres in the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$),
 3.5 acres in the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$),

a total of 150.0 acres in Section 36, Township 1 South,

35.0 acres in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$),
 27.0 acres in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$),
 24.5 acres in the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$),
 35.0 acres in the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$),
 33.0 acres in the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$),
 32.0 acres in the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$),
 17.5 acres in the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$),
 33.0 acres in the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$),

a total of 237.0 acres in Section 1, Township 2 South,

35.0 acres in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$),
 38.0 acres in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$),
 38.5 acres in the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$),
 35.5 acres in the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$),
 2.5 acres in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$),
 2.5 acres in the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$),
 1.0 acre in the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$),

a total of 153.0 acres in Section 2, Township 2 South,

all in Range 15 East, Brown County, Kansas.

The maximum authorized acres that were lawfully irrigated in any one calendar year during the perfection period were 237.0 acres.

This appropriation right is further limited to a quantity of water which when combined with the water right set forth in the Certificate of Appropriation issued pursuant to File Nos. 46,934; 47,143; and 48,063, will provide a total quantity not to exceed **411 acre-feet** of water per calendar year for direct irrigation use on the land described herein.

The structure creating the referenced reservoir has been identified as Water Structure No. DBR-0367 by the Division of Water Resources.

RECEIVED

11/7/2024
BSchleicher

NOV 06 2024

Topeka Field Office
DIVISION OF WATER RESOURCES

11/07/2024

Water Resources
Received

Water Right, File No. 48,064

Page 3 of 3

KS Dept Of Agriculture

All terms, conditions and limitations applicable to the Appropriation of Water not expressly changed or removed by the issuance of the Certificate of Appropriation remain in full force and effect. Failure to comply with those terms, conditions and limitations, and those added or amended by this Certificate, will result in the suspension of this appropriation right or revocation and dismissal of this appropriation right.

ORDERED this 29 day of September, 2020, Manhattan,
Riley County, Kansas.



Christopher W. Beightel

Christopher W. Beightel, P.E.
Acting Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
)
County of Riley) SS

The foregoing instrument was acknowledged before me this 29th day
of September, 2020, by Christopher W. Beightel, P.E., Chief Engineer, Division
of Water Resources, Kansas Department of Agriculture.



Katie N. Anderson

Notary Public

RECEIVED

11/7/2024
BSchleicher

NOV 06 2024

Topeka Field Office
DIVISION OF WATER RESOURCES

This is a final agency action. If you choose to appeal this decision or any finding or part thereof, you must do so by filing a petition for review in the manner prescribed by the Kansas Act for Judicial Review and Civil Enforcement of Agency Actions (KJRA K.S.A. 77-601 et seq.) within 30 days of service of this order. Your appeal must be made with the appropriate district court for the district of Kansas. The Chief Legal Counsel for the Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, is the agency officer who will receive service of a petition for judicial review on behalf of the Kansas Department of Agriculture, Division of Water Resources. If you have questions or would like clarification concerning this order, you may contact the Chief Engineer.

11/07/2024

CERTIFICATE OF SERVICE

Water Resources
Received

KS Dept Of Agriculture

On this _____ day of _____, 2020, I hereby certify that the attached CERTIFICATE OF APPROPRIATION FOR BENEFICIAL USE OF WATER, File No. 48,064, dated _____, 2020, was mailed postage prepaid, first class, US mail to the following:

Original to:
GRIMM BROS LLC
570 280TH ST
MORRILL KS 66515-9403

Photocopies to:
DOUBLE G & L FARMS LLC
2722 DEWBERRY RD
MORRILL KS 66515

NATHAN & LOIS GRIMM REV TRUST
2774 DEWBERRY RD
MORRILL, KS 66515

Topeka Field Office

Staff

RECEIVED

11/7/2024
BSchleicher

NOV 06 2024

Topeka Field Office
DIVISION OF WATER RESOURCES

11/07/2024

Water Resources
Received

KS Dept Of Agriculture

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. _____

Name of Applicant (Please Print): Grimm Bros

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: Kent & Molly Grimm Living Trust

ADDRESS: 570 280th ST Morrill, KS 66515

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	
35	1	15E	18	35	25.5	40													118.5
36	1	15E													32.5	40			72.5
Subtotal = 191																			

Landowner of Record NAME: Grimm Bros

ADDRESS: 570 280th St Morrill KS 66515

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					
35	1	15E	0	0	0	0	0	0	0	0	0	0	0	32.5	0	0	32	40	39.5	25.5	34.5	204	
2	2	15E	40	40																		80	
36	2	15E																35				40	75
Subtotal = 155																							

Landowner of Record NAME: Gerald R. Grimm Loving Trust

ADDRESS: 1776 Rachel LN Sabetha, KS 66534

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
2	2	15E			40	35.3	40	40														155.3
Subtotal 155.3																						

Landowner of Record NAME: Darin & Marci Grimm

ADDRESS: 2722 Dewberry RD Morrill KS 66515

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
2	1	15E				2.5																2.5

11/7/2024
BSchleicher

NOV 06 2024

Water Resources
Received

Landowner of Record NAME: Double G & L Farms LLC

KS Dept Of Agriculture

ADDRESS: 2722 Dewberry RD Morrill KS 66515

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					
2	1	15E																	40			40	80
11	2	15E																	36.5	20	40	40	136.5
14	2	15E	40																				
13	2	15E						31	40														71
36	1	15E			0.5					8	21.5	12.5								3			45.5
1	1	15E									40	35	27	40									142

Subtotal = 475

Landowner of Record NAME: Grimm Farms Inc

ADDRESS: 2774 Dewberry RD Morrill KS 66515

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
36	1	15E										18	35										
1	1	15E					40	31	30.5	40													141.5
12	2	15E					40	40															80

Subtotal = 221.5

Landowner of Record NAME: Grimm Girls Land & Livestock LLC

ADDRESS: 2722 Dewberry RD Morrill KS 66515

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
36	1	15E						17.5	34.5														52

Subtotal = 52

Landowner of Record NAME: Rodney Grimm Trust

ADDRESS: ATTN: Collin Grimm 3126 Bittersweet RD Sabetha, KS 66534

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
35	1	15E										38	36										74

Subtotal = 74

Total Acres on supp sheet = 1326.3

RECEIVED

11/7/2024
BSchleicher

NOV 06 2024

Topeka Field Office
DIVISION OF WATER RESOURCES

11/07/2024
1:48,000
Water Resources
Received

11/7/2024
BSchleicher

APP Map

RECEIVED

NOV 06 2024

N

NOV 06 2024

Topeka Field Office

Topeka Field Office

DIVISION OF WATER RESOURCES

KS Dept Of Agriculture

Authorized Point of Diversion
File No. 48063
97ac/ft

Well Authorized Files:
46934 = 207ac/ft
47143 = 70ac/ft

Proposed Point of
Diversion (Well)

FILE NOS. 46,934; 47,143
48,063; 48,064

1 South

35

36

Southeast Corner of Section 36
Township 1 South
Range 15 East

Southeast Corner of Section 1
Township 2 South
Range 15 East

2 South

Well Authorized
File No. 50389

11

12

Southeast Corner of Section 12
Township 2 South
Range 15 East

Well Authorized
File No 50336

14

13

15 East

MWI, LLC

11/7/2024
BSchleicher

RECEIVED

NOV 06 2024

Topeka Field Office
DIVISION OF WATER RESOURCES

PREPARED BY:

Darcy Nightingale

*Please copy any applicant correspondence to the
email and address below:*

1215 Oregon St.
Hiawatha, KS 66534
785-285-8065
Darcy@mwivalley.com

11/07/2024

Water Resources
Received

KS Dept Of Agriculture

48064

Grimm Bros Quarry Permit



Any use of water that is not as authorized by the water right or permit to authorize water before the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Merrill, Kansas, this 29 day of Oct, 2024.

[Signature]
(Owner)

[Signature]
(Spouse)

Kent Grimm
(Please Print)

Molly Grimm
(Please Print)

Wayne Grimm
(Owner)

(Spouse)

Wayne Grimm
(Please Print)

(Please Print)

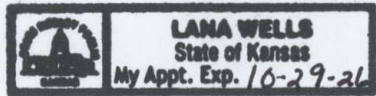
Dan Grimm
(Owner)

(Spouse)

Dan Grimm
(Please Print)

(Please Print)

State of Kansas }
County of Brown } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 29 day of October, 2024.

[Signature]
Notary Public

My Commission Expires 9-28-26

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

11/7/2024
BSchleicher

RECEIVED

NOV 06 2024

Topeka Field Office
DIVISION OF WATER RESOURCES

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

November 15, 2024

GRIMM BROS LLC
570 280TH ST
MORRILL KS 66515

RE: File No(s). **48064**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) to change the place of use, point of diversion or use made of water for the file number(s) referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application(s) and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation(s) Act, the use of water as proposed prior to approval of the application(s) is unlawful.

Additional information about the process may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any other questions, 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,

A handwritten signature in black ink that reads "Kristen A. Baum". The signature is written in a cursive style.

Kristen Baum
New Applications and Changes Supervisor
Water Appropriation Program