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Topeka Field Office
DIVISION OF WATER RESOURCES



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KS Dept Of Agriculture

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

**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**

*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. 50389

2. Name of applicant: Double G & L Farms LLC

Address: 2722 Dewberry RD

City, State and Zip: Morrill KS 66515

Phone Number: 785-548-5611 E-mail address: doublegandlfarms@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.	/	GMD	-	Meets K.A.R. 5-5-1	(YES/NO)	Use	IRR	Source	G/S	County	BR	By	KJN	Date	11/7/24
Code		CPL		Fee \$	200	TR #		Receipt Date	11-6-24	Check #	2005				

See Supplemental Sheet Attached

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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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 NE Quarter of the NW Quarter of the SE Quarter
 of Section 11, Township 2 South, Range 15E (E/W),
 in Brown County, Kansas, 2630 feet North 1610 feet West of Southeast corner of section.
 Authorized Rate 120 gpm Authorized Quantity 193.5 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. _____

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12. The presently authorized use of water is for irrigation purposes.

It is proposed that the use be changed to _____ purposes.

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.

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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 Morrill, 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)

[Signature]
(Owner)

(Spouse)

Darin 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.**

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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	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

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Landowner of Record NAME: Double G & L Farms LLC

ADDRESS: 2722 Dewberry RD Morrill KS 66515

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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

10/06/2024

Total Acres on supp sheet = 1326.3

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DWR 1-100.23 (Revised 07/07/2000)

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Existing Place of Use

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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)

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This is to certify that I have examined Application, File No. 50,389 of the applicant

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

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:

- That the priority date assigned to such application is **April 27, 2020**.
- 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	
35	1S	15E	12.5	5	28.5	40				0.5	1.5				40	38.5	6.5	34	207
36	1S	15E									31	33	38	39.5		5	3.5		150
1	2S	15E					35	27	24.5	35	33	32	17.5	33					237
2	2S	15E	35	38	38.5	35.5	2.5			2.5					40			40	232
11	2S	15E													40	20	4	40	104
12	2S	15E						40	40										80
13	2S	15E						36											36
14	2S	15E	40																40

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located in the Northeast Quarter of the Northwest Quarter of the Southeast Quarter (NE¼ NW¼ SE¼) of Section 11, more particularly described as being near a point 2,630 feet North and 1,610 feet West of the Southeast corner of said section, in Township 2 South, Range 15 East, Brown County, Kansas, located substantially as shown on the map accompanying the application.

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File No. 50,389

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KS Dept Of Agriculture

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **120 gallons per minute (0.27 c.f.s.)** and to a quantity not to exceed **193.5 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 of \$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 of \$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 of \$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 all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

13. That an acceptable water flow meter shall be installed and maintained 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 end of the report year).

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APP Map

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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

Southeast Corner of Section 36
Township 1 South
Range 15 East

Southeast Corner of Section 1
Township 2 South
Range 15 East

Southeast Corner of Section 12
Township 2 South
Range 15 East

Well Authorized
File No. 50389

Well Authorized
File No 50336

1 South

2 South

15 East

35

36

2

1

11

12

14

13

MWI, LLC

PREPARED BY:

11/7/2024
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Darcy Nightingale

Topeka Field Office
DIVISION OF WATER RESOURCES

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

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

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Double G&L Farms



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

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

RE: File No(s). **50389**

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,

Kristen Baum
New Applications and Changes Supervisor
Water Appropriation Program