

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
GARDEN CITY FIELD OFFICE
2508 JOHNS STREET
GARDEN CITY, KS 67846-2804



PHONE: (620) 276-2901
FAX: (620) 276-9315
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

May 18, 2018

SAM & JANICE UNRUH
2325 50TH RD
COPELAND KS 67837

RE: Water Right 12597

Dear Mr. & Mrs Unruh:

This is to advise you that Batavia Farms has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced application.

You can find the complete application posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices

You are notified on this proposed change in point of diversion so that you may furnish this office with any comments or other information you may want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas P. Makens".

Thomas P. Makens
Environmental Scientist III

pc: GMD#3

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

May 18, 2018

BRIAN & HEATHER UNRUH
2325 50TH RD
COPELAND KS 67837

RE: Water Right 12597

Dear Mr. & Mrs Unruh:

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May 18, 2018

SHERWYN & KARI ANN UNRUH
2325 50TH RD
COPELAND KS 67837

RE: Water Right 12597

Dear Mr. & Mrs Unruh:

This is to advise you that Batavia Farms has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced application.

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

May 18, 2018

CROP PRODUCTION SERVICES
3005 ROCKY MOUNTAIN AVE
LOVELAND CO 80538

RE: Water Right 12597

Dear Manager:

This is to advise you that Batavia Farms has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced application.

You can find the complete application posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

May 18, 2018

ARCHER DANIELS MIDLAND CO
4666 FARIES PARKWAY
DECATUR IL 62526

RE: Water Right 12597

Dear Manager:

This is to advise you that Batavia Farms has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced application.

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Environmental Scientist III

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

May 18, 2018

DAVID AND KATHLEEN SCHAFFER
452 WW ROAD
SUBLETTE KS 67877

RE: Water Right 12597

Dear Mr. & Mrs. Schaffer:

This is to advise you that Batavia Farms has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced application.

You can find the complete application posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices

You are notified on this proposed change in point of diversion so that you may furnish this office with any comments or other information you may want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

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Environmental Scientist III

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

May 18, 2018

GALE V FRANK
405 WW RD
COPELAND KS 67837

RE: Water Right 12597

Dear Mr. Frank:

This is to advise you that Batavia Farms has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced application.

You can find the complete application posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices

You are notified on this proposed change in point of diversion so that you may furnish this office with any comments or other information you may want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

May 18, 2018

MILTON & GLORIA ARNOLD
14955 S PIERCEVILLE RD
PIERCEVILLE KS 67868

RE: Water Right 12597

Dear Mr. & Mrs. Arnold:

This is to advise you that Batavia Farms has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced application.

You can find the complete application posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices

You are notified on this proposed change in point of diversion so that you may furnish this office with any comments or other information you may want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

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Sincerely,

A handwritten signature in black ink, appearing to read "Thomas P. Makens".

Thomas P. Makens
Environmental Scientist III

pc: GMD#3

Submit completed application to:
 Kansas Department of Agriculture
 Division of Water Resources
 Field Office for your area.

Call for address:
 Topeka -- (785) 862-6300
 Stafford -- (620) 234-5311
 Stockton -- (785) 425-6787
 Garden City -- (620) 276-2901
www.ksda.gov/dwr

DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended.
 Fee Schedule is on the third page of this application form.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

RECEIVED
 4:12pm
 MAY 10 2018

File No. 12597

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both): Garden City Field Office
Division of Water Resources
- Place of Use Point of Diversion
- under the water right which is the subject of this application in accordance with the conditions described below.
- The source of supply is: Groundwater Surface water

2. Name and address of Applicant: Batavia Farms LLC
- 2394 120TH RD COPELAND KS 67837
- Phone Number: () Email address: _____
- Name and address of Water Use Correspondent: Batavia Farms LLC
- 2394 120TH RD COPELAND KS 67837
- Phone Number: () Email address: _____

3. The presently authorized place of use is:
- Owner of Land ---- NAME: Batavia Farms LLC
- ADDRESS: PO BOX 61020 Denver CO 80206
- (If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
23	27	31w									9	40	29	7					85

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:
- Owner of Land ---- NAME: Batavia Farms LLC
- ADDRESS: PO BOX 61020 Denver CO 80206
- (If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
22	27	31w									40	40	40	40	40	40	40	40	320
23	27	31w									9	33.8	19	7					68.8
27	27	31w	33	40	40	33													146

For Office Use Only: Code _____ Fee \$ 200 TR # _____ Receipt Date 5/10/18 Check # 1030

5. **Presently authorized point of diversion:**
 One in the Quarter of the Quarter of the Quarter
 of Section , Township South, Range W,
 in County, Kansas, feet North feet West of Southeast corner of section.
 Authorized Rate Authorized Quantity Depth of well (feet)
 (DWR use only: Computer ID No. GPS feet North feet West)
 This point will not be changed This point will be changed as follows:
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 W,
 in County, Kansas, feet North feet West of Southeast corner of section.
 Proposed Rate Proposed Quantity Proposed well depth (feet)
 This point is: Additional Well Geo Center List other water rights that will use this point

6. **Presently authorized point of diversion:**
 One in the Quarter of the Quarter of the Quarter
 of Section , Township South, Range W,
 in County, Kansas, feet North feet West of Southeast corner of section.
 Authorized Rate Authorized Quantity Depth of well (feet)
 (DWR use only: Computer ID No. GPS feet North feet West)
 This point will not be changed This point will be changed as follows:
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 Proposed well depth (feet)
 This point is: Additional Well Geo Center List other water rights that will use this point

7. Why do you need a new point of diversion?
old well needs to be replaced

8. If a well, is the test hole log attached? Yes No

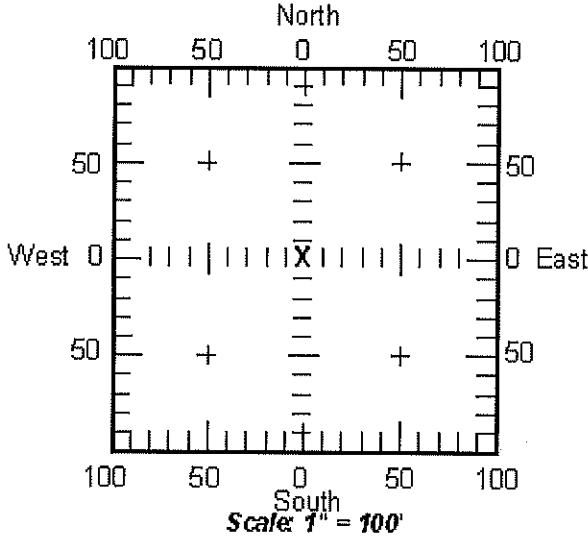
9. When do you propose to complete the new point of diversion?
april 1, 2018

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
plug
 (b) When will this be done? 2018

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by tpm

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines.

14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:

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

RECEIVED
MAY 10 2018

Garden City Field Office
Division of Water Resources

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

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

Dated at Denver, ~~Kansas~~ ^{Colorado}, this 18th day of April, 2018.

Zachary D. Holland
(Owner)

Melissa L. Holland
(Spouse)

Zachary D. Holland
(Please Print)

Melissa L. Holland
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Colorado }
~~Kansas~~ } SS
County of Denver }

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 18th day of April, 2018.

CRYSTAL M. HINK
Notary Public
State of Colorado
Notary ID # 20124050475
My Commission Expires 09-19-2020

Crystal M. Hink
Notary Public

My Commission Expires

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

FEE SCHEDULE

- Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**
- (1) Application to change a point of diversion 300 feet or less \$100
 - (2) Application to change a point of diversion more than 300 feet \$200
 - (3) Application to change the place of use \$200

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 et. seq. With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 12597.

- 1. A change application was received on _____ requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
- 2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable Not Applicable
- 3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a _____ foot radius of the authorized point(s) of diversion. Applicable Not Applicable
- 4. The point(s) of diversion authorized herein shall not actually be located more than _____ feet from the previously authorized point(s) of diversion. Applicable Not Applicable
- 5. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. Applicable Not Applicable
- 6. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before **December 31, 2018**, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year. Applicable Not Applicable
- 7. Installation of the works for diversion of water shall be completed on or before **December 31, 2018**, or within any authorized extension of time. By March 1, 2019 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. Applicable Not Applicable
- 8. The completed well log shall be submitted with the required notice. Applicable Not Applicable
- 9. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable
- 10. Additional Conditions are attached. Yes No
- 11. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

Administrative Appeal and Effective Date of Order

You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the **Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 109 SW 9th Street, Topeka, Kansas 66612**, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day after the date shown on the Certificate of Service.

For Use by Register of Deeds

FOR OFFICE USE ONLY
APPLICATION APPROVED AND
SUMMARY ORDER ISSUED

By: _____
Duly Authorized Designee of the Chief Engineer

(Print Name): _____
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: _____

State of Kansas)
) SS
County of _____)

Acknowledged before me on _____
by _____

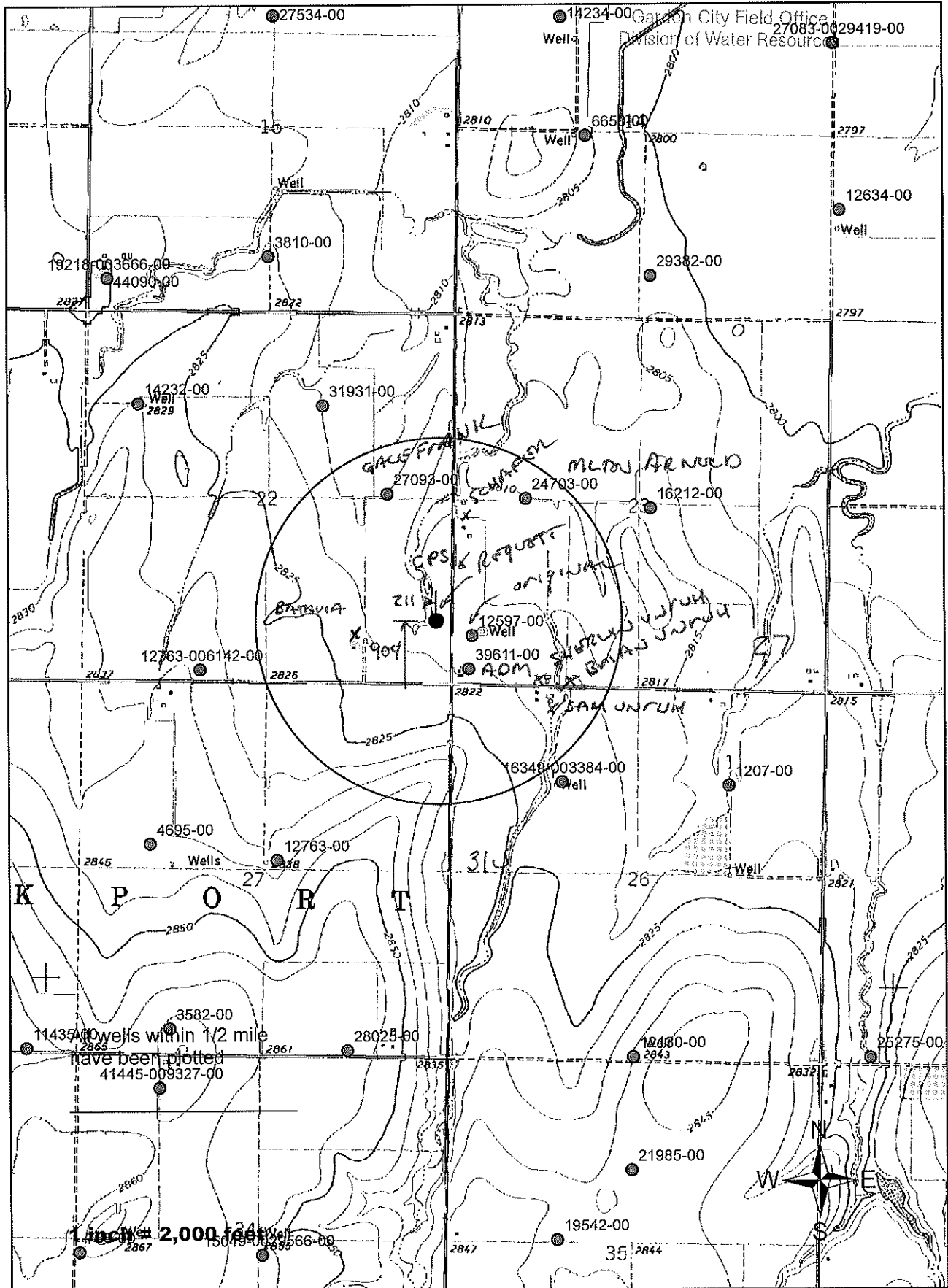
Signature: _____
Notary Public

My commission expires: _____
(Notary Seal)

RECEIVED

12597

MAY 10 2018



Submit completed application to:
 Kansas Department of Agriculture
 Division of Water Resources
 Field Office for your area.

DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

Call for address:
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 Stafford -- (620) 234-5311
 Stockton -- (785) 425-6787
 Garden City -- (620) 276-2901
www.ksda.gov/dwr

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended.
 Fee Schedule is on the third page of this application form.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

RECEIVED
 4:10pm
 MAY 10 2018

File No. 6142

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):
 Place of Use Point of Diversion
 under the water right which is the subject of this application in accordance with the conditions described below.
 The source of supply is: Groundwater Surface water

Garden City Field Office
 Division of Water Resources

2. Name and address of Applicant: Batavia Farms LLC
2394 120TH RD COPELAND KS 67837
 Phone Number: () Email address: _____
 Name and address of Water Use Correspondent: Batavia Farms LLC
2394 120TH RD COPELAND KS 67837
 Phone Number: () Email address: _____

3. The presently authorized place of use is:
 Owner of Land ---- NAME: Batavia Farms LLC
 ADDRESS: PO BOX 61020 Denver CO 80206
 (If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				NE¼	SE¼	TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼			
22	27	31w								40		40	320

Need
 1 more
 original
 Sch.

4. If this application is for a change in place of use, it is proposed that the place of use be:
 Owner of Land ---- NAME: Batavia Farms LLC
 ADDRESS: PO BOX 61020 Denver CO 80206
 (If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
22	27	31w																	320
23	27	31w																	68.8
27	27	31w	33	40	40	33													146

For Office Use Only: Code _____ Fee \$ 200 TR # _____ Receipt Date 5/10/18 Check # 1030

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ W, in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ W, in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

6. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ W, in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ W, in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

RECEIVED
 MAY 10 2018
 Garden City Field Office
 Division of Water Resources (EAW)

7. Why do you need a new point of diversion? _____
 no change to irrigation wells

8. If a well, is the test hole log attached? Yes No

9. When do you propose to complete the new point of diversion?

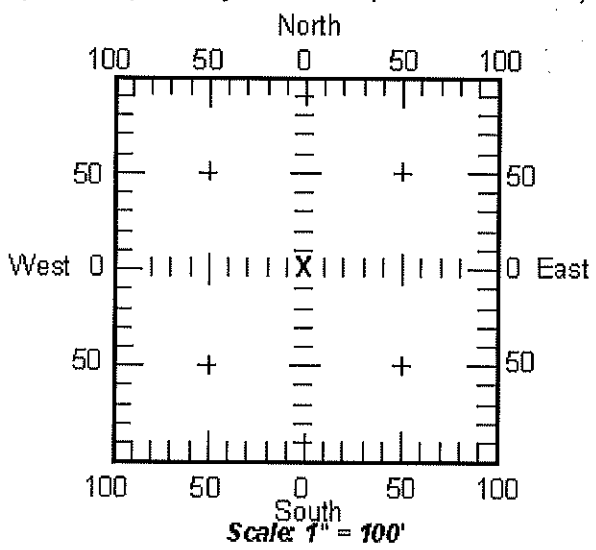
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

(b) When will this be done? _____

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by tpm _____

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines.

14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:

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

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

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

Dated at Denver, Colorado, this 18th day of April, 2018.

Zachary D Holland
(Owner)

Zachary D Holland
(Please Print)

(Owner)

(Please Print)

(Owner)

(Please Print)

Melissa J Holland
(Spouse)

Melissa L Holland
(Please Print)

(Spouse)

(Please Print)

(Spouse)

(Please Print)

State of Colorado }
Kansas }
County of Denver } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 18th day of April, 2018.

CRYSTAL M. HINK
Notary Public
State of Colorado
Notary ID # 20124060475
My Commission Expires 09-19-2020

Crystal M Hink
Notary Public

My Commission Expires

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

FEE SCHEDULE

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

- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 *et. seq.* With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 6142.

1. A change application was received on _____ requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a _____ foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. The point(s) of diversion authorized herein shall not actually be located more than _____ feet from the previously authorized point(s) of diversion. Applicable Not Applicable
5. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. Applicable Not Applicable
6. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2018**, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year. Applicable Not Applicable
7. **Installation of the works for diversion of water shall be completed on or before December 31, 20**_____, or within any authorized extension of time. By March 1, 20_____, the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. Applicable Not Applicable
8. **The completed well log shall be submitted with the required notice.** Applicable Not Applicable
9. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable
10. Additional Conditions are attached. Yes No
11. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

Administrative Appeal and Effective Date of Order

You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the **Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 109 SW 9th Street, Topeka, Kansas 66612**, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day after the date shown on the Certificate of Service.

For Use by Register of Deeds

FOR OFFICE USE ONLY
APPLICATION APPROVED AND SUMMARY ORDER ISSUED

By: _____
 Duly Authorized Designee of the Chief Engineer

(Print Name): _____
 Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: _____

State of Kansas)
) SS
 County of _____)

Acknowledged before me on _____
 by _____

Signature: _____
 Notary Public

My commission expires: _____
 (Notary Seal)

Submit completed application to:
 Kansas Department of Agriculture
 Division of Water Resources
 Field Office for your area.

Call for address:

Topeka -- (785) 862-6300
 Stafford -- (620) 234-5311
 Stockton -- (785) 425-6787
 Garden City -- (620) 276-2901
www.ksda.gov/dwr

DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended.
 Fee Schedule is on the third page of this application form.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

RECEIVED
 4:11pm
 MAY 10 2018

File No. 12763

Garden City Field Office
 Division of Water Resources

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is: Groundwater Surface water

2. Name and address of Applicant: Batavia Farms LLC

2394 120TH RD COPELAND KS 67837

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: Batavia Farms LLC

2394 120TH RD COPELAND KS 67837

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: Batavia Farms LLC

ADDRESS: PO BOX 61020 Denver CO 80206

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
22	27	31w									40	33	40	40	33	40	40	33	292
27	27	31w	33	40	40	33													146

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: Batavia Farms LLC

ADDRESS: PO BOX 61020 Denver CO 80206

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
22	27	31w									40	40	40	40	40	40	40	40	320
23	27	31w									9	33.8	19	7					68.8
27	27	31w	33	40	40	33													146

For Office Use Only: Code _____ Fee \$ <u>200</u> TR # _____ Receipt Date <u>5/10/18</u> Check # <u>1030</u>

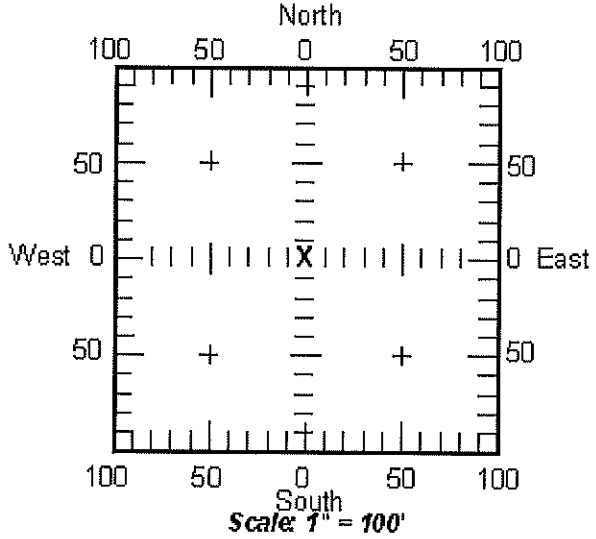
5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ W,
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
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 _____ W,
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

RECEIVED
 MAY 10 2018
 Garden City Field Office
 Division of Water Resources

6. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ W,
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
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 _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

7. Why do you need a new point of diversion? _____
 no change to irrigation wells

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



8. If a well, is the test hole log attached? Yes No

9. When do you propose to complete the new point of diversion?

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

(b) When will this be done? _____

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by tpm _____

13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines.

14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:

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

RECEIVED
MAY 10 2018

Garden City Field Office
Division of Water Resources

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

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

Dated at Denver, ^{Colorado} Kansas, this 18th day of April, 20 18.

Zachary D Holland
(Owner)

Melissa L Holland
(Spouse)

Zachary D Holland
(Please Print)

Melissa L Holland
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Colorado
~~Kansas~~ } SS
County of Denver

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 18th day of April, 20 18.

CRYSTAL M. HINK
Notary Public
State of Colorado
Notary ID # 20124050475
My Commission Expires 09-19-2020

Crystal M Hink
Notary Public

My Commission Expires _____

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

FEE SCHEDULE

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

(1) Application to change a point of diversion 300 feet or less	\$100
(2) Application to change a point of diversion more than 300 feet	\$200
(3) Application to change the place of use	\$200

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 *et. seq.* With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. _____.

1. A change application was received on _____ requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a _____ foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. The point(s) of diversion authorized herein shall not actually be located more than _____ feet from the previously authorized point(s) of diversion. Applicable Not Applicable
5. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. Applicable Not Applicable
6. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2018**, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year. Applicable Not Applicable
7. **Installation of the works for diversion of water shall be completed on or before December 31, 20_____**, or within any authorized extension of time. By March 1, 20_____, the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. Applicable Not Applicable
8. **The completed well log shall be submitted with the required notice.** Applicable Not Applicable
9. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable
10. Additional Conditions are attached. Yes No
11. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

Administrative Appeal and Effective Date of Order

You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the **Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 109 SW 9th Street, Topeka, Kansas 66612**, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day after the date shown on the Certificate of Service.

For Use by Register of Deeds

FOR OFFICE USE ONLY
APPLICATION APPROVED AND SUMMARY ORDER ISSUED

By: _____
Duly Authorized Designee of the Chief Engineer

(Print Name): _____
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: _____

State of Kansas)
) SS
County of _____)

Acknowledged before me on _____
by _____

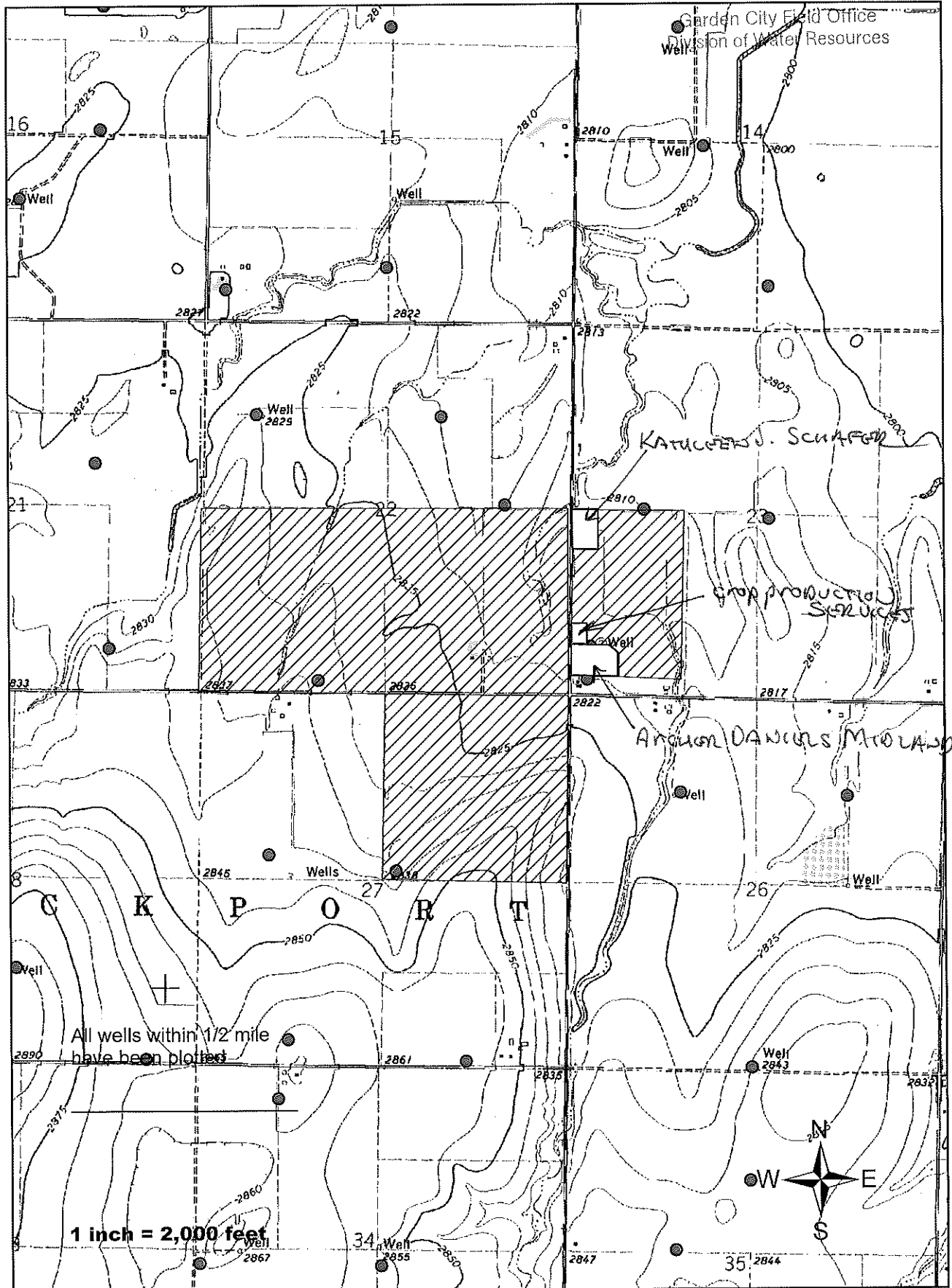
Signature: _____
Notary Public

My commission expires: _____
(Notary Seal)

6142, 12597, 12763

RECEIVED

MAY 10 2018



THE STATE



OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

REQUEST TO REDUCE A PORTION OF AN EXISTING WATER RIGHT
(NO FEE REQUIRED)

Identify the file which is the subject of this request:

- (CHECK ONE) Vested Right, File No. _____
- Water Right, File No. 12597
- Appropriation of Water, File No. _____

RECEIVED

To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502

MAY 10 2018

Garden City Field Office
Division of Water Resources

From: (Names and addresses of owners of authorized place of use. Please see instructions on back.)

Batavia Farms LLC PO BOX 61020 Denver CO 80206

Kalhleen J Schafer 452 WW Road Sublete KS 67877

Crop Production Services 3005 Rocky Mountain Ave Loveland CO 80538

Archer Daniels Midland Co. %Rich Dye 4666 Faries PKWY Decatur Ill 62526

REQUEST

The above listed owners request a:

[Complete only the sections that apply. Check only the boxes that apply. Fill in only the blanks that apply.]

A. REDUCTION IN AUTHORIZED MAXIMUM ANNUAL QUANTITY OF WATER.

It is requested that the maximum annual quantity of water be reduced to _____
(acre-feet or million gallons; circle one) per calendar year.

B. REDUCTION IN AUTHORIZED MAXIMUM RATE OF DIVERSION OF WATER.

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

Assisted by: tom

C. REDUCTION IN THE SIZE OF THE AUTHORIZED PLACE OF USE OF WATER.
(A reduction in place of use may result in a reduction of the authorized rate and quantity to reflect reasonable needs.)

It is requested that the authorized place of use be reduced to:

Owner of Land - NAME: Batavia Farms LLC PO BOX 61020 Denver CO 80206
 ADDRESS: PO BOX 61020 Denver CO 80206

IRRIGATION USE

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
23	27	31w									9	33.8	19	7					68.8

OR
NON IRRIGATION USE

Describe:

(If more space is needed, attach additional sheets as necessary.)

A copy of a topographic map is attached showing the place of use after the requested reduction.

D. REDUCTION IN THE NUMBER OF POINTS OF DIVERSION AUTHORIZED.
(A reduction in the point(s) of diversion may result in the reduction of the rate and quantity authorized by the amounts associated with those points of diversion.)

It is requested that the number of authorized points of diversion be reduced to: _____ located as follows:
 (No. of points of diversion) (wells, pumps, or other works for diversion of water)

One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas, and

One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

(If more space is needed, attach additional sheets as necessary.)

A copy of a topographic map is attached, showing the location of the remaining point(s) of diversion after the requested reduction.

E. REDUCTION IN THE TYPES OF BENEFICIAL USE AUTHORIZED.

It is requested that the types of beneficial use of water be reduced to: _____.

I, the undersigned owner of this water right or permit declare that: (1) I am freely and voluntarily choosing to reduce the water right listed; and (2) I am waiving any rights to a hearing or an appeal that I may have had regarding the reduction of the water right listed.

I declare that I am an owner, as identified herein, or that I represent an owner, as identified herein, and am authorized to make this request on his or her behalf.

Dated at Denver, ^{Colorado} ~~Kansas~~, this 18th day of April, 2018.
(City) (Month) (Year)

Zachary D Holland
(Owner)

Melissa L Holland
(Spouse)

Zachary D Holland
(Please Print)

Melissa L Holland
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of ^{Colorado} ~~Kansas~~)
County of Denver) ss

I hereby certify that the foregoing application was signed in my presence and sworn to before me this

18th day of April, 2018.
(Month) (Year)

CRYSTAL M. HINK
Notary Public
State of Colorado
Notary ID # 20124050475
My Commission Expires 09-19-2020

Crystal Mink
Notary Public

My Commission expires _____

INSTRUCTIONS:

The request must be signed by each owner of the place of use authorized by the water right or permit and his or her spouse, if married. All water right or permit owners, including spouses, must sign this request for it to be valid. Unless the water right or permit has been legally severed from the authorized place of use, the owners of the water right or permit are the owners of the authorized place of use. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as owner until such time as the contract is completed.

In the event that all owners cannot sign together in front of one notary public, they may, as necessary, sign appropriate copies of the request in front of any notary public conveniently available to them. All copies signed in this manner shall be accepted as valid parts of the request.

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, the undersigned owner of this water right or permit declare that: (1) I am freely and voluntarily choosing to reduce the water right listed; and (2) I am waiving any rights to a hearing or an appeal that I may have had regarding the reduction of the water right listed.

I declare that I am an owner, as identified herein, or that I represent an owner, as identified herein, and am authorized to make this request on his or her behalf.

Dated at: Garden City, Kansas, this 5th day of April, 2018.
(City) (Month) (Year)

[Signature]
(Owner)

(Spouse)

Louis J. Herman III
(Please Print)

(Please Print)

General Manager
(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

RECEIVED

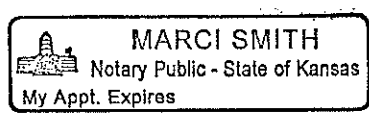
MAY 10 2018

Garden City Field Office
Division of Water Resources

State of Kansas)
County of Finney) ss

I hereby certify that the foregoing application was signed in my presence and sworn to before me this

5th day of April, 2018.
(Month) (Year)



Marci Smith
Notary Public

My Commission expires 5-13-18

INSTRUCTIONS:

The request must be signed by each owner of the place of use authorized by the water right or permit and his or her spouse, if married. All water right or permit owners, including spouses, must sign this request for it to be valid. Unless the water right or permit has been legally severed from the authorized place of use, the owners of the water right or permit are the owners of the authorized place of use. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as owner until such time as the contract is completed.

In the event that all owners cannot sign together in front of one notary public, they may, as necessary, sign appropriate copies of the request in front of any notary public conveniently available to them. All copies signed in this manner shall be accepted as valid parts of the request.

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.

RECEIVED

MAY 10 2018

Garden City Field Office
Division of Water Resources

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

REQUEST TO REDUCE A PORTION OF AN EXISTING WATER RIGHT
(RED)

Identify the file which is the subject of this request

*116805
MORE SIGNATURES*

- Vested Right
- (CHECK ONE) Water Right
- Appropriation

To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502

From: (Names and addresses of owners of authorized place of use. Please see instructions on back.)

Batavia Farms LLC PO BOX 61020 Denver CO 80206

Kalhleen J Schafer 452 WW Road Sublete KS 67877

Crop Production Services 3005 Rocky Mountain Ave Loveland CO 80538

Archer Daniels Midland Co. %Rich Dye 4666 Faries PKWY Decatur Ill 62526

REQUEST

The above listed owners request a:

[Complete only the sections that apply. Check only the boxes that apply. Fill in only the blanks that apply.]

A. REDUCTION IN AUTHORIZED MAXIMUM ANNUAL QUANTITY OF WATER.

It is requested that the maximum annual quantity of water be reduced to _____
(acre-feet or million gallons; circle one) per calendar year.

B. REDUCTION IN AUTHORIZED MAXIMUM RATE OF DIVERSION OF WATER.

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

RECEIVED

MAY 03 2018

Assisted by: tpm

SWKSGMD3

C. **REDUCTION IN THE SIZE OF THE AUTHORIZED PLACE OF USE OF WATER.**
(A reduction in place of use may result in a reduction of the authorized rate and quantity to reflect reasonable needs.)

It is requested that the authorized place of use be reduced to:

Owner of Land - NAME: Batavia Farms LLC PO BOX 61020 Denver CO 80206
 ADDRESS: PO BOX 61020 Denver CO 80206

IRRIGATION USE

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				
23	27	31w											9	33.8	19	7					68.8	

OR

NON IRRIGATION USE

Describe:

(If more space is needed, attach additional sheets as necessary.)

A copy of a topographic map is attached showing the place of use after the requested reduction.

D. **REDUCTION IN THE NUMBER OF POINTS OF DIVERSION AUTHORIZED.**
(A reduction in the point(s) of diversion may result in the reduction of the rate and quantity authorized by the amounts associated with those points of diversion.)

It is requested that the number of authorized points of diversion be reduced to: _____ located as follows:
 (No. of points of diversion) (wells, pumps, or other works for diversion of water)

One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas, and

One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

(If more space is needed, attach additional sheets as necessary.)

A copy of a topographic map is attached, showing the location of the remaining point(s) of diversion after the requested reduction.

E. **REDUCTION IN THE TYPES OF BENEFICIAL USE AUTHORIZED.**

It is requested that the types of beneficial use of water be reduced to: _____

INSTRUCTIONS:

The request must be signed by each owner of the place of use authorized by the water right or permit and his or her spouse, if married. All water right or permit owners, including spouses, must sign this request for it to be valid. Unless the water right or permit has been legally severed from the authorized place of use, the owners of the water right or permit are the owners of the authorized place of use. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as owner until such time as the contract is completed.

In the event that all owners cannot sign together in front of one notary public, they may, as necessary, sign appropriate copies of the request in front of any notary public conveniently available to them. All copies signed in this manner shall be accepted as valid parts of the request.

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, the undersigned owner of this water right or permit declare that: (1) I am freely and voluntarily choosing to reduce the water right listed; and (2) I am waiving any rights to a hearing or an appeal that I may have had regarding the reduction of the water right listed.

I declare that I am an owner, as identified herein, or that I represent an owner, as identified herein, and am authorized to make this request on his or her behalf.

Dated at Garden City, Kansas, this 3rd day of May, 2018.
(City) (Month) (Year)

Kathleen Jane Schaefer
(Owner)

David Schaefer
(Spouse)

Kathleen Jane Schaefer
(Please Print)

David Schaefer
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas)
County of Finney) ss



I hereby certify that the foregoing application was signed in my presence and sworn to before me this

3rd day of May, 2018.
(Month) (Year)

Brandi Sneath
Notary Public

My Commission expires 10/01/2019

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**REQUEST TO REDUCE A PORTION OF AN EXISTING WATER RIGHT
(NO FEE REQUIRED)**

Identify the file which is the subject of this request:

- Vested Right, File No. _____
- (CHECK ONE) Water Right, File No. 12597
- Appropriation of Water, File No. _____

To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502

From: (Names and addresses of owners of authorized place of use. Please see instructions on back.)

Batavia Farms LLC PO BOX 61020 Denver CO 80206

Kalhleen J Schafer 452 WW Road Sublete KS 67877

Crop Production Services 3005 Rocky Mountain Ave Loveland CO 80538

Archer Daniels Midland Co. %Rich Dye 4666 Faries PKWY Decatur Ill 62526

REQUEST

The above listed owners request a:

[Complete only the sections that apply. Check only the boxes that apply. Fill in only the blanks that apply.]

A. REDUCTION IN AUTHORIZED MAXIMUM ANNUAL QUANTITY OF WATER.

It is requested that the maximum annual quantity of water be reduced to _____
(acre-feet or million gallons; circle one) per calendar year.

B. REDUCTION IN AUTHORIZED MAXIMUM RATE OF DIVERSION OF WATER.

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

Assisted by: tpm

C. REDUCTION IN THE SIZE OF THE AUTHORIZED PLACE OF USE OF WATER.
(A reduction in place of use may result in a reduction of the authorized rate and quantity to reflect reasonable needs.)

It is requested that the authorized place of use be reduced to:

Owner of Land - NAME: Batavia Farms LLC PO BOX 61020 Denver CO 80206
 ADDRESS: PO BOX 61020 Denver CO 80206

IRRIGATION USE

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
23	27	31w									9	33.8	19	7					68.8

OR
NON IRRIGATION USE

Describe:

(If more space is needed, attach additional sheets as necessary.)

A copy of a topographic map is attached showing the place of use after the requested reduction.

D. REDUCTION IN THE NUMBER OF POINTS OF DIVERSION AUTHORIZED.
(A reduction in the point(s) of diversion may result in the reduction of the rate and quantity authorized by the amounts associated with those points of diversion.)

It is requested that the number of authorized points of diversion be reduced to:

_____ located as follows:
 (No. of points of diversion) (wells, pumps, or other works for diversion of water)

One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas, and

One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

(If more space is needed, attach additional sheets as necessary.)

A copy of a topographic map is attached, showing the location of the remaining point(s) of diversion after the requested reduction.

E. REDUCTION IN THE TYPES OF BENEFICIAL USE AUTHORIZED.

It is requested that the types of beneficial use of water be reduced to: _____.

I, the undersigned owner of this water right or permit declare that: (1) I am freely and voluntarily choosing to reduce the water right listed; and (2) I am waiving any rights to a hearing or an appeal that I may have had regarding the reduction of the water right listed.

I declare that I am an owner, as identified herein, or that I represent an owner, as identified herein, and am authorized to make this request on his or her behalf.

Dated at Ovenden Park, Kansas, this 10th day of MAY, 2018.
(City) (Month) (Year)

Archival Daniels Midland Co.
(Owner)

(Spouse)

(Please Print)

(Please Print)

Pete [Signature]
(Owner)

(Spouse)

Pete [Signature] VP. ADM. Services Company
(Please Print)

(Please Print)

RECEIVED
MAY 10 2018

(Owner)

(Spouse) Ovenden City Field Office
Division of Water Resources

(Please Print)

(Please Print)

State of Kansas)
County of JOHNSON) ss

I hereby certify that the foregoing application was signed in my presence and sworn to before me this

10th day of MAY, 2018.
(Month) (Year)

[Signature]
Notary Public

My Commission expires 2/9/2019



INSTRUCTIONS:

The request must be signed by each owner of the place of use authorized by the water right or permit and his or her spouse, if married. All water right or permit owners, including spouses, must sign this request for it to be valid. Unless the water right or permit has been legally severed from the authorized place of use, the owners of the water right or permit are the owners of the authorized place of use. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as owner until such time as the contract is completed.

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Parcel Summary (For [Full Report click here](#))

 [Add to Multi-Parcel Report](#)

Parcel ID : 041017260000002000

Owner Name : UNRUH, SAM D JR &
JANICE I TRUST

Location : COUNTY ROAD,
Sublette, KS 67877.

Boundary Desc : S26, T27, R31W, ACRES
161.5, NW LESS RD
ROW.

Owner Information

Owner : UNRUH, SAM D JR &
JANICE I TRUST

Mailing Address : 2325 ROAD 50
COPELAND, KS 67837

Property Details

Property Type : Farm Homesite

Property Status : Active

Taxing Unit : 006 - LOCKPORT 476

Neighborhood Code : 300.0

[Building Sketch](#)

[Google Map Street View](#)

[Bing Maps View](#)

[Zillow](#)



Parcel Summary (For [Full Report click here](#))

 [Add to Multi-Parcel Report](#)

Parcel ID :

Owner Name : UNRUH, BRIAN W &
HEATHER M

Location : .

Boundary Desc : .

Owner Information

Owner :

Mailing Address :

Property Details

Property Type :

Property Status :

Taxing Unit :

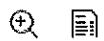
Neighborhood Code :

[Building Sketch](#)

[Google Map Street View](#)

[Bing Maps View](#)

[Zillow](#)





Parcel Summary (For [Full Report click here](#))

 [Add to Multi-Parcel Report](#)

Parcel ID :

Owner Name : UNRUH, SHERWYN &
KARI ANN

Location : .

Boundary Desc : .

Owner Information

Owner :

Mailing Address :

Property Details

Property Type :

Property Status :

Taxing Unit :

Neighborhood Code :

[Building Sketch](#)

[Google Map Street View](#)

[Bing Maps View](#)

[Zillow](#)





Parcel Summary (For [Full Report click here](#))

 [Add to Multi-Parcel Report](#)

Parcel ID :

Owner Name : UNRUH, SHERWYN &
KARI ANN

Location : -

Boundary Desc : -

Owner Information

Owner :

Mailing Address :

Property Details

Property Type :

Property Status :

Taxing Unit :

Neighborhood Code :

[Building Sketch](#)

[Google Map Street View](#)

[Bing Maps View](#)

[Zillow](#)



Parcel Summary (For [Full Report click here](#))

 [Add to Multi-Parcel Report](#)

Parcel ID :

Owner Name : UNRUH, BRIAN W &
HEATHER M

Location : -

Boundary Desc : -

Owner Information

Owner :

Mailing Address :

Property Details

Property Type :

Property Status :

Taxing Unit :

Neighborhood Code :

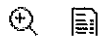
[Building Sketch](#)

[Google Map Street View](#)

[Bing Maps View](#)

[Zillow](#)

2288 60





Parcel Summary (For [Full Report click here](#))

 [Add to Multi-Parcel Report](#)

Parcel ID : 041017260000002000

Owner Name : UNRUH, SAM D JR &
JANICE I TRUST

Location : COUNTY ROAD,
Sublette, KS 67877.

Boundary Desc : S26, T27, R31W, ACRES
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ROW.

Owner Information

Owner : UNRUH, SAM D JR &
JANICE I TRUST

Mailing Address : 2325 ROAD 50
COPELAND, KS 67837

Property Details

Property Type : Farm Homesite

Property Status : Active

Taxing Unit : 006 - LOCKPORT 476

Neighborhood Code : 300.0

[Building Sketch](#)

[Google Map Street View](#)

[Bing Maps View](#)

[Zillow](#)



THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

REQUEST TO REDUCE A PORTION OF AN EXISTING WATER RIGHT
(NO FEE REQUIRED)

Identify the file which is the subject of this request:

- (CHECK ONE)
- Vested Right, File No. _____
 - Water Right, File No. 12597
 - Appropriation of Water, File No. _____

RECEIVED

MAY 10 2018

To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502

Garden City Field Office
Division of Water Resources

From: (Names and addresses of owners of authorized place of use. Please see instructions on back.)

Batavia Farms LLC PO BOX 61020 Denver CO 80206

Kalhleen J Schafer 452 WW Road Sublete KS 67877

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Archer Daniels Midland Co. %Rich Dye 4666 Faries PKWY Decatur Ill.62526

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

Assisted by: tpm

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(A reduction in place of use may result in a reduction of the authorized rate and quantity to reflect reasonable needs.)

It is requested that the authorized place of use be reduced to:

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IRRIGATION USE

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES		
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼			
23	27	31w										9	33.8	19	7					68.8	

OR

NON IRRIGATION USE

RECEIVED

Describe:

MAY 10 2018

Garden City Field Office
 Division of Water (If more space is needed, attach additional sheets as necessary.)

A copy of a topographic map is attached showing the place of use after the requested reduction.

D. **REDUCTION IN THE NUMBER OF POINTS OF DIVERSION AUTHORIZED.**
(A reduction in the point(s) of diversion may result in the reduction of the rate and quantity authorized by the amounts associated with those points of diversion.)

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(If more space is needed, attach additional sheets as necessary.)

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