Kansas Department of Agriculture Division of Water Resources

CHANGE: P/D & P/U WORKSHEET

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
12597	6/18/18	C1	04	03
6. Status: ⊠ Approved ☐ Der	ied by DWR/GMD	Dismiss by Reques	st/Failure to Return	7. Filing Date of Change: 5/10/18
8a. Applicant(s) New to system ⊠	Person ID Add Seq#	8c. Landown		Person ID Add Seq#
BATAVIA FARMS LLC 2394 120TH RD COPELAND KS 67837				
8b. Landowner(s) New to system ☑ BATAVIA FARMS LLC PO BOX 61020 DENVER CO 80206	Person IDAdd Seq#	New to sy BATA\ 2394 1	/stem⊠ /IA FARMS LLC 20TH RD _AND KS 67837	Person IDAdd Seq#
9. Documents and Enclosure(s): ⊠ D ☐ Anti-Reverse Meter ☐ Meter ☐ Conservation Plan Date Requ	Seal	□ N & P Form	 ☐ Water Tube ☐ □	Comply: 12/31/18 Driller Copy
10. Use Made of Water From:		To:		
			Date Prepared: 6/13/ Date Entered:	18 ву: ТРМ Ву:

File No. 12597		11. County: HASKELL			Basin: ark	ark						Stream:	٦:						Ĺ	Formation Code:	Special Use:
12. Points of Divers	ion														Rate	and Q	Rate and Quantity				
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del 36943																					

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13. Storage: Rate				ਰੋ	Quantity					ac/ft	g#	Additic	Additional Rate	l te			***************************************	노 		Additional Quantity	ac/ft
14. Limitation:		af/yr at	4) mdb –				_ cfs)	cfs) when combined with file number(s)	nidmo	ed wit	h file n	umber	(s).				
Limitation:		af/yr at					gpm () (cfs)	cfs) when combined with file number(s)	combin	ed wit	h file n	umber	(s).			EXPANSIONAL	
15. 5YR Allocation:	Allocation Type	Type	ξŠ	Start Year	ar		5)	5 YR Amount	ount_		₹	Amount Unit	Pit I		Base	Base Acres		١	Comment		
16. Place of Use CHK					NE¼			_	NW7/4			, ,,,	SW1/4			0,	SE%		Total	Owner C	Chg? Overlap Files
MOD DEL ENT PUSE S	⊬ ¤	Ω	NR.%	WW %	ws v	s× S×	₩.×	NW %	WS W	S %	 B.\.	W. %	SW %	S.×	N.X	WW %	SW %	SE %			
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MOD 6305 2	23 27 31	31W									O	33.8	3 19	7					68.8	gb y	6142 12597 12763
ENT 14819 2	27 27 3	31W	33	40) 40	33													146	8b y	6142 12597 12763
Base Acres:	Year.	Mi	nimur	n Re	asonal	Minimum Reasonable Quantity:	antity									_					
Comments:																					

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

STATE OF KANSAS



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

GOVERNOR JEFF COLYER, M.D. JACKIE McClaskey, Secretary of Agriculture

June 18, 2018

BATAVIA FARMS LLC 2394 120TH RD COPELAND KS 67837

> RE: Change the Place of Use, File Nos; 6142, 12597, 12763 Change in Point of Diversion Water Right, File No 12597

Dear Mr. Garetson;

Enclosed you will find a Summary Order Approving Application for Change in Place of Use for the above referenced files. Since these orders modify the original documents, it should be recorded at the County Register of Deeds.

These orders modify the authorized acres that can be irrigated by these files. The authorized place of use is as shown on the plats within the change approvals.

A condition of this order is that an acceptable flow meter must be properly installed on the diversion works authorized under the referenced file number in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12. This water flow meter shall be used to provide information required on the annual water use report (including the meter reading at the beginning and end of the report year).

This order shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order. The date of service is the date listed on the enclosed *Certificate of Service*.

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

Sincerely,

Thomas P. Makens

Assistant Water Commissioner

TPM:tpm Enclosures GMD#3

CERTIFICATE OF SERVICE

On this of day of June 2018, I hereby certify that the attached original Approval of Application to Change the Place of Use under Water Right File 6142, 12597, 12763 & Change in Point of Diversion Water Right, File No 12597 dated June 18, 2018, was mailed postage prepaid, first class, US mail to the following:

BATAVIA FARMS LLC 2394 120TH RD COPELAND KS 67837

Scanned copy provided to GMD#3

Division of Water Resources

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.

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	\pplicatio					⊠ Pla	ace of	Use		⊠ F	oint o	f Diver	rsion	٠		Divisior	of Wa	y Field ater Re	Office esources
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	The source					⊠ Gr						e watei							
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) 2	Name an 2394 120	d addre	ess of V	Vater (ELANI	DKS (<u>67837</u>		: Bata	avia Fa	ırms <u>Ll</u>	_C								
-	Phone No The pres							1	Ellian c	auuico	o				·····				,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
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((If there is	more th	an one	landow	ner, att	ach sur	ppleme			necess	ary.)					or	4.7	1	TOTAL
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<u>Sec.</u>		Range 31w	NE¼	NW1/4	SW¼	SE¼	NE¼	NVV 74	SW1/4	SE1/4	9	40	29	7	,,,,				85
		314																	<u> </u>
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	For Offi	ice Use	Only:	Code		 Fe	e \$	200	TR	#		Re	eceipt :	Date_	5/10	81/0	Chec	k#_/	030

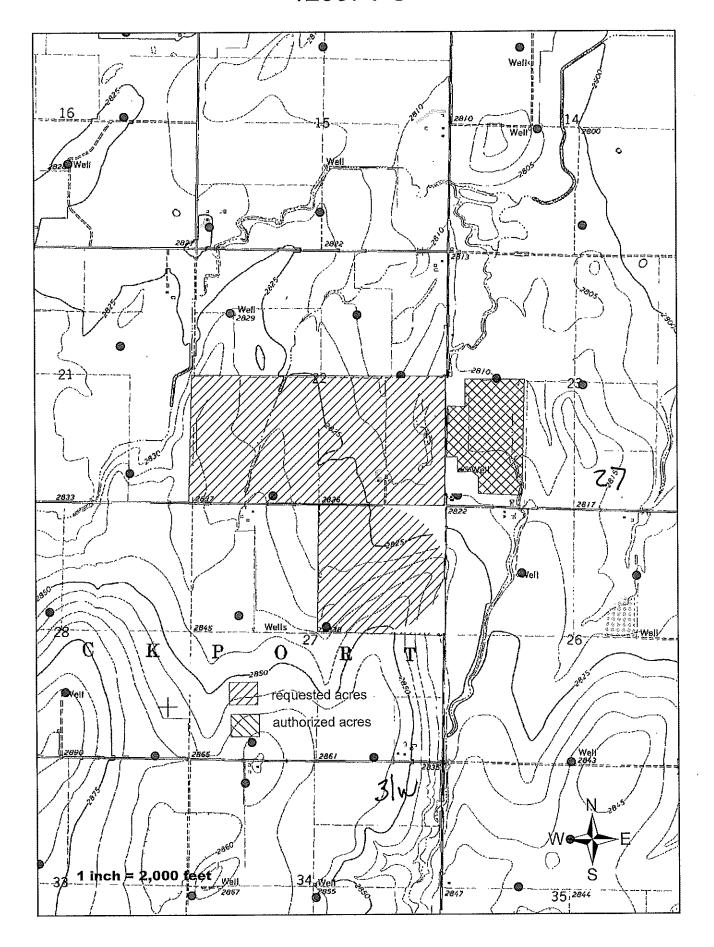
5.	Presently authorized point of diversion:				
	One in the Quarter of the	sw	Quarter of the	sw	Quarter
	of Section 23 , Township	27	South Range	31	\/\
	in <u>Haskell</u> County, Kansas, <u>750</u>	feet Nor	th 5033 feet West	of Southeast corner	of section
	Authorized Rate Authorized Quantity		Depth of well	(feet)
	(DWR use only: Computer ID No. 5 GPS		feet North	feet Wes	or St)
	☐ This point will not be changed This point will b	oe chanc	red as follows:		,
	Proposed point of diversion: (Complete only if change				
	One in the Quarter of the			20	Quarter
	of Section 22 , Township	27	South Range	36	Quarter
	in <u>Haskell</u> County, Kansas, <u>904</u>	feet Nor	Oodtii, Nange _	of Southeast corner	of coction
	Proposed Rate Proposed Quantity	10011101	Proposed well der	of Journeast Corner	or section.
	This point is: Additional Well Geo Center List oth	er water	rights that will use this no	ont (leet)	•
	1 Electrical Fig. 600 Control List out	ioi water	rigino triat will use triis po	/// II	*
6.	Presently authorized point of diversion:				
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	of Section, Township	foot Novi	South, Range _	- £ 0 - 1 = 1 = 0 = 0 = 0 = 0	vv,
	in County, Kansas,	teet Moti	.ii ieet vvest (or abhitue Bab colluga	of section.
	Authorized Rate Authorized Quantity		Deptn of well	(feet)) =>
	(DWR use only: Computer ID No GPS ☑ This point will not be changed ☐ This point will b		reet North	<u> Parden Cit</u> yreenowes	rcor
				AISION OF MATER DESOL	11000
	Proposed point of diversion: (Complete only if change				
	One in the Quarter of the		Quarter of the _		Quarter
	of Section, Township		South, Range _		(E/W),
	in County, Kansas,1	feet Nort	h feet West o	of Southeast corner	of section.
	Proposed Rate Proposed Quantity		Proposed well dep	th (feet)	
L	This point is: Additional Well Geo Center List other	er water	rights that will use this poi	int	
7.	Why do you need a new point of diversion?	13a	f the proposed point of div	roreion will be releast	ad within 100
	with do you need a new point of diversion?	1	eet of the existing point of	f diversion, indicate i	ts location on
	old well needs to be replaced	1	he diagram below in relatio	on to the existing poin	t of diversion.
		\]	PLEASE NOTE: The ") represents presently auth	A" in center of dia porized point of dive	ıgram below rsion.)
			· · · · · · · · · · · · · · · · · · ·	lorth	, , , , , , , , , , , , , , , , , , , ,
8.	If a well, is the test hole log attached? X Yes No			 0 50 100	1
	— — —				•
9.	When do you propose to complete the new point of		<u> </u>	<u> </u>	
	diversion?		E0 - 1	- , -	
	april 1, 2018		50 - +	_ + -	50
10	If the point of diversion is a well-		ļ.		
10.	If the point of diversion is a well:		West 0 -	7⊏ 	l Fast
	(a) What are you going to do with the old well?		E,	Ξ'''' Ξ'	
	plug		-	= 7	
			50 - + .	- + + €	50
	(b) When will this be done? 2018		F.		
	(b) What will this be dolle! 2018		<u> </u>	<u></u>	
11	Groundwater Management District recommendation		400 E0		,
١	attached? Yes No		S	0 50 100 outh	l
	ZA ITO		5 care	1" = 100'	
2.	Assisted by tpm	13b. I	the proposed point of dive	ersion will be relocate	ed more than
		1 d	00 feet but within 1320 iversion, attach a topogra	reet from the exist	ing point of
		Ē	iversion, attach a topogra- ior groundwater sources, si itthin one-half mile of the pi	how all wells (includi	ng domestic)
		W	vater sources, show the andowner(s) one-half mile	names and addre	sses of the
		la	andowner(s) one-half mile	downstream and o	ne-half mile
		u	pstream from your property	rintes.	

14. If the proposed groundwater point of diversion is 300 or fewer feet fr	om existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently auth	orized place(s) of use identified in this application?
FT Voc. I I No. (If no all owners milst sign this appli	Caton.)
(b) Will the ownership interest of any owner of the currently author	rized place(s) of use identified in this application be adversely
affected if this application is approved as requested:	
(a) If this application is not approved expeditiously, will there be su	bstantial damage to property, public health or safety?
1 162 1 110 (1110) (1110) (1110)	ASIME! OWALISING OTHER
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 thust be signed by an owner	s 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 affir	nation and under penalty of perjury, that I am of lawful
their behalf, in regard to the water right(s) to which this ap	pilcation pertains. I further voiny that the observer
contained in this application are true, correct and complete.	19 A 19
Dated at Denver , Kansas, this	s_181h day of
	molin & Holland
July Mallet	(Snouse)
(Owner)	maline 1 thelland
Zachary D Holland	(Please Print)
(Please Print)	(19892 1 1119)
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(Owner)	(4)
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(Owner)	(Spouse)
(Owner)	
(Please Print)	(Please Print)
State of Kansas	
7	
County of <u>Derwer</u>	my presence and sworn to before me this 18th day of
I hereby certify that the foregoing application was signed in, 20	my presence and swell to belefo me and
CRYSTAL M. HINK	Can to Ohn Atil
Notary Public State of Colorado	Notary Public
My Commission Expires Notary ID # 20124050475	
My Commission Expires 09-19-2020 ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete,	all of the applicable portions of the application form must be completed wi
accurate information; maps, if necessary, must be included; signatures or all the	e appropriate owners' must be affixed to the application and notarized, and
the appropriate fee must be paid.	
FEE SCHE Each application to change the place of use or the point of diversion u	DULE
(1) Application to change a point of diversion 300 feet or less	foot \$200
(2) Application to change a point of diversion more than 300 to (3) Application to change the place of use	\$200
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SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

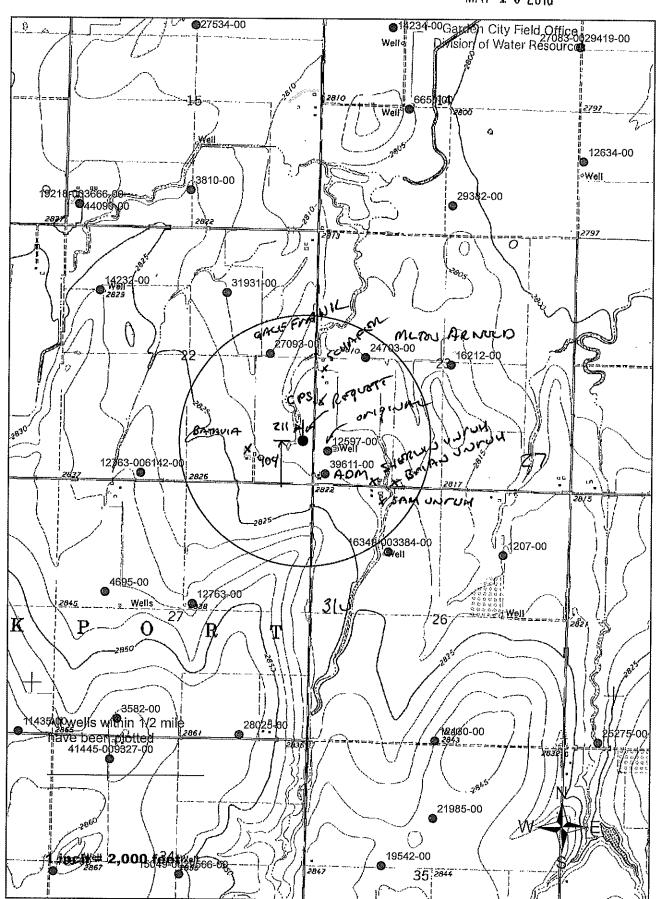
This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 et.seq. With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 12597 A change application was received on MAY 18, 7018 requesting that the place of diversion authorized under the above-referenced file number be changed as described in the application. requesting that the place of use and / or point of 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 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. 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 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 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 Applicable ☐ Not Applicable The completed well log shall be submitted with the required notice. Applicable ☐ Not Applicable 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 10. Additional Conditions are attached. Yes 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 FOR OFFICE USE ONLY 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. APPLICATION APPROVED AND SUMMARY ORDER ISSUED By: Duly Authorized Designee of the Chief Engineer HOMAS (Print Name): this Summary Order will become effective on the 15th day Division of Water Resources - Kansas Department of Agriculture after the date shown on the Certificate of Service. 18 2018 Date of Issuance: For Use by Register of Deeds State of Kansas SS County of Linne Acknowledged before me on Signature: Netary Ryblic SUE KEENY My Appointment Expires NOTABY My commission expire June 8, 2022

12597 PU



12597 PD

MAY 1 0 2018

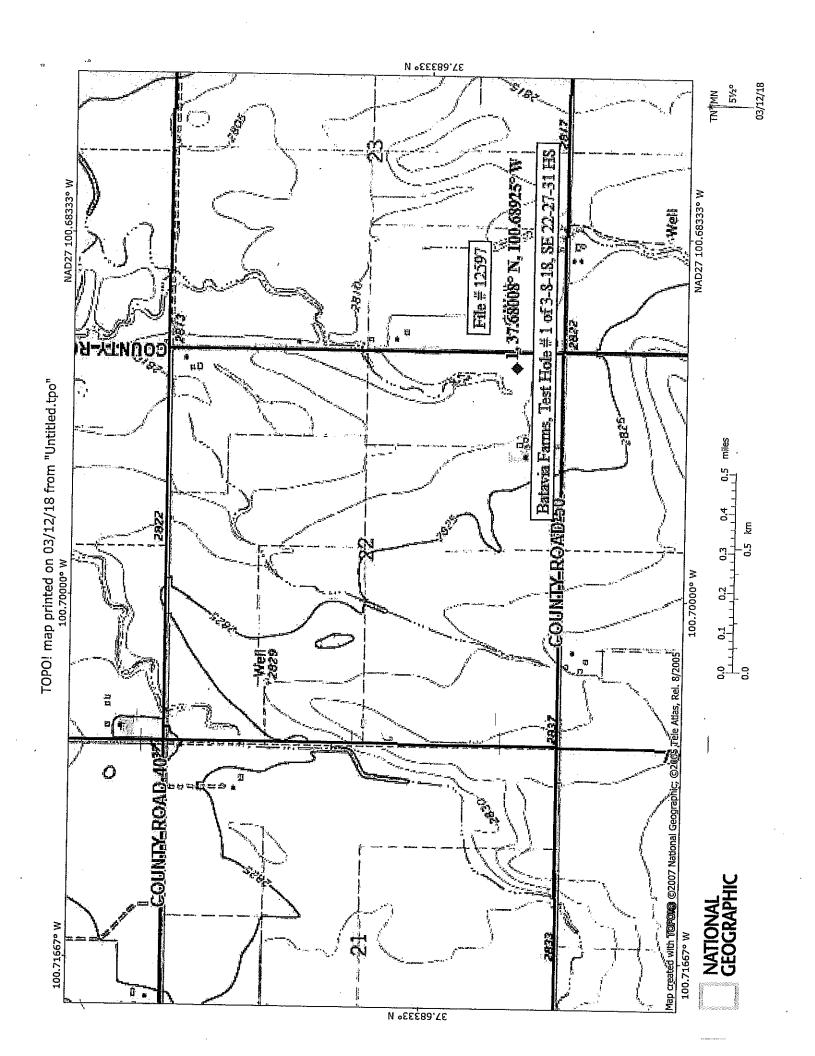




PO Box 639 Garden City, KS 67846 Fax: 620-277-0224

JARVIS GARETSON 620-668-0045

Customer		Batavia	a Farm	S	WO#: <u>` 324 </u> Test#:_	Date: 3-8-18
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County:	Haskell	Quarte	r: SE	Section: 22	lownship: _クフ	Range: 3/
Location:		-	-	GPS	N37,68081 W100.68	2915
Rig#:	10002			Elevation: 2804'	Static WL: Proposed Well Depth	Estimated? 22 o
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	0	1 449		 - 	Description of Strata	
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	16		55	Fine Sand		
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10	320	17		Brown Snody Clay		
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20	337	18	355	Fine Sand few med		
15	355	19	374	Fine Sand w/ few cl	ay String-rus	
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15	402	18	420	Sandstone w/few so	supstance stules	
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.15	468	12	480	Sandstone		
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KANSAS DEPARTMENT OF AGRICULTURE Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

Assisted by: tpm

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. _____ ☑ Water Right, File No. <u>12597</u> (CHECK ONE) Appropriation of Water, File No. RECEIVED CHIEF ENGINEER To: MAY **1 0** 2018 Division of Water Resources Kansas Department of Agriculture Garden City Field Office 1320 Research Park Drive Division of Water Resources 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 III 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. \square 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.).

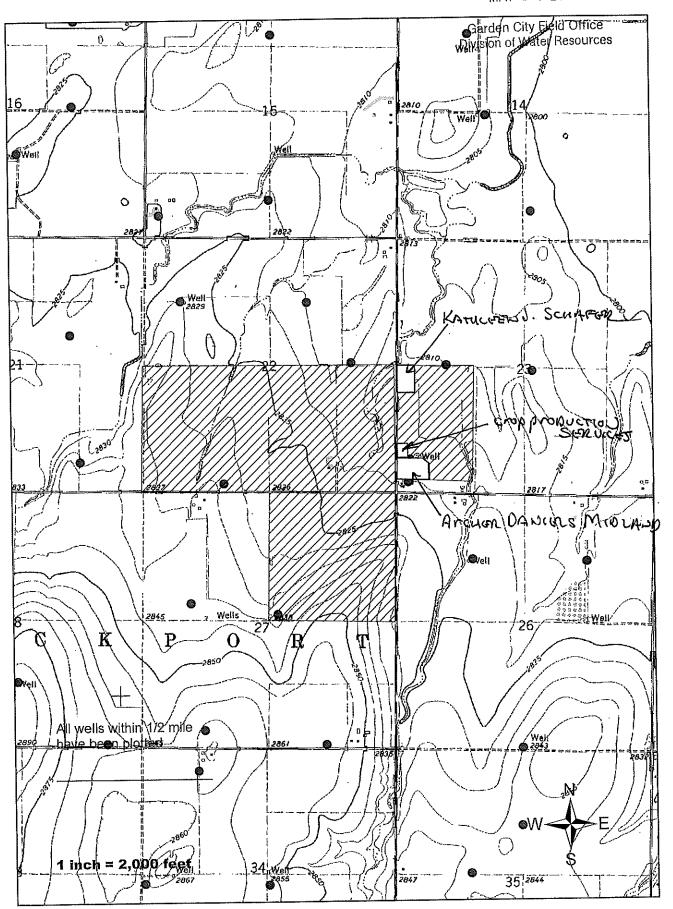
C. [⊠ RED A reduc	OUCTIC	ON IN place o	THE S	SIZE (may re	OF Th	lE ΑU a redι	THOF	RIZED	PLAG authori	CE OI zed ra	F USE te and	OF V	VATE	R. eflect i	eason	able n	eeds)	
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DWR 1-669 (Revised 06/16/2014)

RECEIVED

6142, 12597, 12763

MAY 1 0 2018



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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.

	. 1	•		
Dated at	plorado ansas, this 18th	day of	April	, <u>⊘0j 8</u> , (Year y
(City)		000	(Month)	Man (Year)
Sulmo / Holled			usa of Ho	eano
(Owner)		Melis	sa L Ho	lland
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(Owner)			(Spouse)	
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(Fiedde Frins)			RECE!	VED .
(Owner)		<u> </u>	(Spouse)	
(Swile)			MAY 1 0	2018
(Please Print)	*	<u></u>	(Please Pri Garden City	nt) Field Office
			Garden City of Division of Wat	er Resources
Colorado State of Kansas			2	
)	SS			
County of <u>Derwer</u>)				
I hereby certify that the foregoing	application was sigr	ed in my pres	ence and sworn to b	efore me this
(110,02,)		_		
		<u>2018</u> . (Year)		
day of(Mon	ith)	(Year)		
				•
CRYS	TAL M. HINK		Cnotalki	#
No	e of Colorado		Notary Pub	lic
Notary (D#20124050475			
My Commission expires	ion Expires 09-19-202	<u>U_}</u>		

INSTRUCTIONS:

The request must be signed by each owner of the place of use authorized by the water right or permit <u>and his or her spouse, if married</u>. 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.

legalettig thost care and the	
I declare that I am an owner, as identified herein, or that authorized to make this request on his or her behalf.	represent an owner, as identified herein and am
Dated at Garden City, Kansas, this 5+	day of April (Month) (Year)
(Owner)	(Spouse)
(Please Print) General Mannger.	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse) RECEIVED
(Please Print)	(Please Print) MAY 1 0 -2018
State of Kansas) ss County of) ss	Garden City Field Offi Division of Water Resou
I hereby certify that the foregoing application was sig	gned in my presence and sworn to before me this
5th day of Opril	
(Month)	\cap
(Month) A MARCI SMITH Notary Public - State of Kansas My Appt. Expires	Maile Smith Notary Public

INSTRUCTIONS:

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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, 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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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

8105 0 1 YAM

Garden City Field Office Division of Water Resources

人名英格兰 化二氯二苯乙基酚 化二氯基

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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 a Gorden City, Kansas, this 3rd (City) Kathleen Tane Schafer (Owner) Kathleen Tane Schafer (Please Print)	day of <u>YYOU</u> . <u>2018</u> . (Year)
Kathleen Tane Schafen	David Schafer
	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print) RECEIVED
(Owner)	(Spouse) MAY 0 3 2018
(Please Print)	(Please Print) Field Office Division of Water Resources
BH S BH	PUBLIC - State of Kensas RANDI SNEATH of Expires LOLU 20
I hereby certify that the foregoing application was sign	ned in my presence and sworn to before me this
3rd day of Month)	, <u>2018</u> . (Year)
	Brandi Shear Notary Public
My Commission expires 10/01/2019	

Superior Description of the Superior

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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. Kansas, this 16th day of 142 (Spouse) (Owner) (Please Print) tPlease Print) (Spouse) (Owner) RECEIVED (Please Print (Please Print) MAY **1 0** 2018 (Spouse)den City Field Office (Owner) Division of Water Resources (Please Print) (Please Print) State of Kansas I hereby certify that the foregoing application was signed in my presence and sworn to before me this 160 day of MAL Notary Public My Commission expires

I, the undersigned owner of this water right or permit declare that: (1) I am freely and voluntarily choosing to

INSTRUCTIONS:

The request must be signed by each owner of the place of use authorized by the water right or permit <u>and his or her spouse</u>, if <u>married</u>. 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: 0410172600000002000

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

<u>Zillow</u>

⊕ [

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

<u>Zillow</u>

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Parcel Summary (For <u>Full Report click here</u>)

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

<u>Zillow</u>

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Parcel Summary (For <u>Full Report click here</u>)

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

<u>Zillow</u>

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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

<u>Zillow</u>

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Parcel Summary (For Full Report click here)

Add to Multi-Parcel Report

Parcel ID:

0410172600000002000

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

<u>Zillow</u>



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

BRIAN & HEATHER 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,

Thomas P. Makens

Environmental Scientist III

pc: GMD#3

STATE OF KANSAS

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GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

May 18, 2018

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

RE: Water Right 12597

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Thomas P. Makens
Environmental Scientist III

pc: GMD#3

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

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.

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Thomas P. Makens

Environmental Scientist III

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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

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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GOVERNOR JEFF COLYER, M.D. JACKIE McClaskey, Secretary of Agriculture

May 18, 2018

DAVID AND KATHLEEN SCHAFER 452 WW ROAD SUBLETTE KS 67877

RE: Water Right 12597

Dear Mr. & Mrs. Schafer:

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

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.

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Environmental Scientist III

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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.

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Thomas P. Makens

Environmental Scientist III

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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

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Sincerely,

Thomas P. Makens

Environmental Scientist III

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 12597 00

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 12597 00 IRR

Water Right and Points of Diversion Within .50 miles of point defined as:

750 Feet North and 5033 Feet West of the Southeast Corner of Section 23 T 27S R 31W

GROUNDWATER ONLY

=====	======	:==:				=====	==	===	===:	====	====	======	=====	=		====	=======		======	
File	Number		Use	ST	SR	Dist	(ft)	Q4	QЗ	Q2	Ql	FeetN	FeetW	Sec	Twp	Rng	ID Batt	: Auth_Quan	Add_Quan	Unit
A	3384	00	IRR	NK	G		2421			NC	NW	3955	3790	26	27	31W	2	213.00	213.00	AF
A	12597	00	IRR	NK	G		0		NW	SW	SW	750	5033	23	27	31W	5	160.00	160.00	AF
A	16349	00	IRR	NK	G		2421			NC	NW	3955	3790	26	27	31W	2	111.00	111.00	AF
A	24703	00	IRR	NK	G		2069		SE	SW	N₩	2661	4250	23	27	31W	7	320.00	320.00	AF
A	27093	00	IRR	NK	G		2383		sw	SE	NE	2700	940	22	27	31W	3	170.00	170.00	AF
A	39611	00	IND	NK	G		456		SW	SW	SW	295	5090	23	27	31W	4	3.22	3,22	AF

Total Net Quantities Authorized: Direct Storage .00 Total Requested Amount (AF) = .00 Total Permitted Amount (AF) = .00 .00 Total Inspected Amount (AF) = .00 ,00 Total Pro Cert Amount (AF) = .00 977,22 .00

Total Certified Amount (AF) = 977.22 .00

Total Vested Amount (AF) = .00 .00

TOTAL AMOUNT (AF) = 977.22 .00

An * after the source of supply indicates a pending application for change under the file number.

An \star after the ID indicates a 15 AF exemption was granted under the file number.

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery. The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within .50 miles of point defined as:

750 Feet North and 5033 Feet West of the Southeast Corner of Section 23 T 27S R 31W GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number Use ST SR
A_ 3384 00 IRR NK G

> SAM UNRUH JR

>

> 2325 50TH RD

> COPELAND KS 67837

>------

A___ 12597 00 IRR NK G

> THAYNE SCHAFER

>

> 458 WW RD

> COPELAND KS 67837

>-----

A__ 16349 00 IRR NK G

> SAM UNRUH JR

>

> 2325 50TH RD

> COPELAND KS 67837

>------

A 24703 00 IRR NK G
> MILTON & GLORIA ARNOLD
>
> 14955 S PIERCEVILLE RD
> PIERCEVILLE KS 67868
>
A 27093 00 IRR NK G
> GALE V FRANK
>
> 405 WW RD
> COPELAND KS 67837
>
A 39611 00 IND NK G
> ARCHER DANIELS MIDLAND CO
>
> 492 WW RD
> COPELAND KS 67837
>

211 ft W of the SE Corner of Section 22, T 27S, R 31W 904 ft N and Located at: 100.689251 West Longitude and 37.680812 North Latitude GROUNDWATER ONLY File Number Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth_Quan Add_Quan Unit 160.00 160.00 AF A 12597 00 IRR NK G 577 -- NW SW SW 750 5033 23 27 31W 5 2139 -- SE SW NW 2661 4250 23 27 31W 7 320.00 320.00 AF 24703 00 IRR NK G 170.00 170.00 AF 1938 -- SW SE NE 2700 940 22 27 31W 3 A___ 27093 00 IRR NK G 39611 00 IND NK G 832 -- SW SW SW 295 5090 23 27 31W 4 3.22 AF 3.22 Total Net Quantities Authorized: Direct Storage Total Requested Amount (AF) = .00 Total Permitted Amount (AF) = .00 .00 .00 .00 Total Inspected Amount (AF) = .00 Total Pro_Cert Amount (AF) = .00 653.22 ,00 Total Certified Amount (AF) = .00 Total Vested Amount (AF) = .00 (AF) = 653.22 .00 TOTAL AMOUNT An * after the source of supply indicates a pending application for change for the file number. An * after the ID indicates a 15 AF exemption was granted for the file number. A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery. The number in the Batt column is the number of wells in the battery. Water Rights and Points of Diversion Within .50 miles of point defined as: 100.689251 West Longitude and 37.680812 North Latitude GROUNDWATER ONLY WATER USE CORRESPONDENTS: Use ST SR File Number A 12597 00 IRR NK G > THAYNE SCHAFER > 458 WW RD > COPELAND KS 67837 A 24703 00 IRR NK G > MILTON & GLORIA ARNOLD > 14955 S PIERCEVILLE RD > PIERCEVILLE KS 67868 27093 00 IRR NK G > GALE V FRANK > 405 WW RD > COPELAND KS 67837 >-----39611 00 IND NK G ARCHER DANIELS MIDLAND CO

Water Rights and Points of Diversion Within .50 miles of point defined as:

> 492 WW RD

> CO	PELAND	KS	67837	1
------	--------	----	-------	---

>--------

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



June 5, 2018

Southwest Kansas Groundwater Management District No 3 409 Campus Drive, Suite 106 Garden City KS 67846

Re: Water Right file number 12597

Dear Mr. Norquest;

Batavia Farms has applied to relocate the well authorized by the above water right number. There are potentially 8 neighboring wells within ½ mile of the requested.

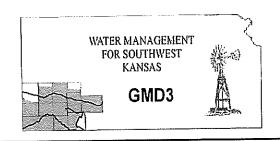
We are delaying action for 15 days on the change application to allow you time to review and provide a recommendation if you feel one is warranted.

Thank you and as always feel free to call or write us at any time.

Sincerely;

Thomas P Makens

TPM:tpm



Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street Garden City, Kansas 67846

(620) 275-7147 phone (620) 275-1431 fax www.gmd3.org

June 6, 2018

Thomas P. Makens Division of Water Resources 2508 N Johns Street Garden City, Kansas 67846 RECEIVED

JUN 07 2018

Garden Cily Field Office Division of Water Resources

Application for Change in Point of Diversion Water Right, File No. 12597

Applications for Change in Place of Use Water Right, File Nos. 6142, 12597 & 12763

Dear Thomas:

RE:

We have completed a review of the applications for the above referenced water rights. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed distance moved and well spacing for WR 12597, since they are increasing spacing not currently met to WR 39611, is in accordance with K.A.R. 5-23-3(c)(2). Minimum spacing to all other wells is met. The proposed change in place of use on all three water rights, to create a complete overlap, is in accordance with KAR 5-5-11(b)(1). It is therefore recommended that the applications be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,

Jason L. Norquest Assistant Manager

GMD3 Change Review

File No(s).: 6142, 1259	7 & 12763.		DWR offic	ce: GC.
App filed to change: PI		U on all		
Is Landowner(s) correct			-	
If NO, is docume		ed?		RECEIVED
Is Water Use Correspond				
If NO, is docume				JUN 07 2018
Regulation(s) Reviewed:			5-5-11	Garden City Field Office
Point of diversion ID No				Division of Water Resources
		5	,	
ft. No	orth ft. We	st		
Authorized PD	750 5	033	Sect 23-27-31	
Proposed PD	904	211	sect 22-27-31	
Difference	-154 N	458 W		
a2 + b2 = c2 2	3716 209	764	483.1977 foot m	nove NW
GPS for proposed PD: I	.at: <u>37.68081</u>	L	ong: <u>-100.68925</u>	<u>į</u> ,
Is proposed PD stacking	on existing W	Rs? <u>N</u>	<u>lo</u> .	
Is Proposed PU overlapp	ing existing W	/Rs? _0	Complete overlap	on all 3 water rights, plus
reduction in acres for 12:				-
Land Owner(s) notified:	Appears so.			
Name	Name	•		
Address	Address_	·		
Zip	Zip	•		
Neighboring certified we	ell(s) notified:	Appea	rs so.	
Name	Name	•	······	
Address	Address	•		
Zip	Zip			
Domestic well(s) notified	-	MET.		
Name	Name			
Address	Address			
Zip	Zip	•		
Base Acres: Not needed	l for a complet	e overla	np.	
Perfected Acres:	_			
Irr. Return-Flow%				
Current acres:				
6142: 320 (South half o	of 22)			
12597: 85 (68.8 propose	ed on reductio	n)(SW	of 23)	
12763: 146 (separate ac	cres in NE of 2	27)(Als	so overlaps 292 a	acres in S2 of 22 w/6142)
Total acres are 551			<u>-</u>	ŕ
Proposed acres with red	duction is 534.	.8 acres	i .	
1036AF total authorized	d with the limi	itations	that are in plac	ce on 12763.
That would be 1.9AF/ac			-	

GMD3 Change Review

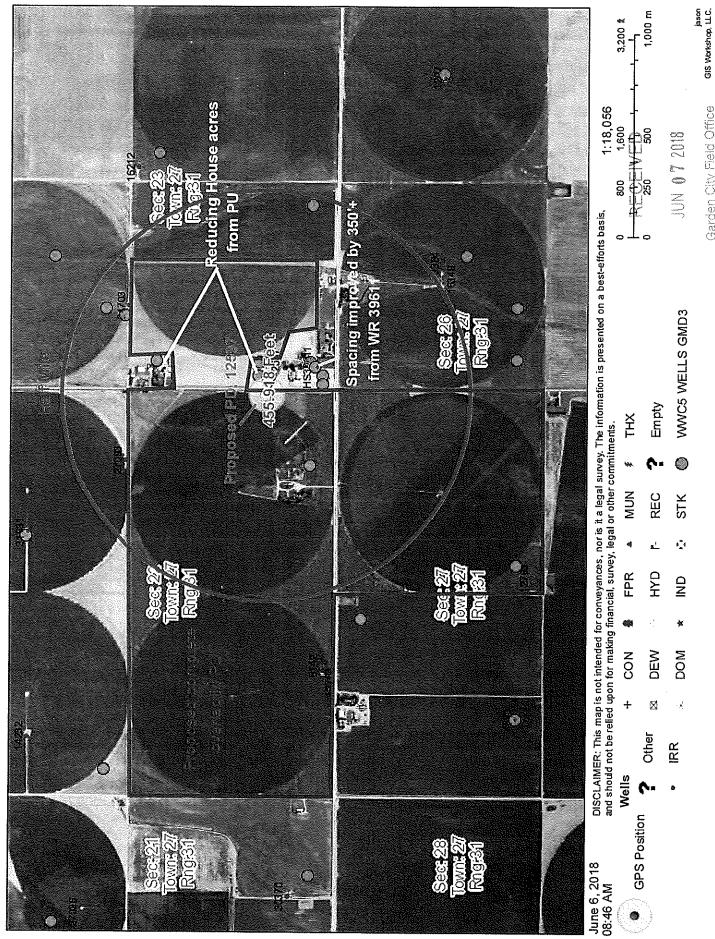
Is a waiver needed: No.

Final Recommendation: The overlap, including the request to reduce acres, to create a complete overlap is in line with KAR 5-5-11(b)(1). The proposed PD change for 12597 does NOT meet spacing to WR 39611, however it does improve current spacing by more than 350', which is allowed under KAR 5-23-3(c)(2). Staff therefore recommends approval of all the applications.

JUN 07 2018

Garden City Field Office Division of Water Resources





Garden City Field Office Division of Water Resources Water Rights and Points of Diversion Within 1.00 miles of point defined as: 211 ft W of the SE Corner of Section 22, T 27S, R 31W Located at: 100.689251 West Longitude and 37.680812 North Latitude

Proposed 12597

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An * after the source of supply indicates a pending application for change for the file number.

An \star after the ID indicates a 15 AF exemption was granted for the file number.

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A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery. The number in the Batt column is the number of wells in the battery.

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Water Rights and Points of Diversion Within 1.00 miles of point defined as:

100.689251 West Longitude and 37.680812 North Latitude

GROUNDWATER ONLY

TOTAL AMOUNT

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number Use ST SR

1207 00 IRR NK G

> ORVILLE L WILLIAMS

> 11304 BB RD

> MONTEZUMA KS 67867

>------

(AF) =

3384 00 IRR NK G

> SAM UNRUH JR

> 2325 50TH RD

> COPELAND KS 67837

>----

A 4695 00 IRR NK G
> ROBERT M NIGHTENGALE
>
> 2225 SOTH RD
> COPELAND KS 67837
>
A 6142 00 IRR NK G
> GARETSON BROTHERS
>
> 2394 120TH RD
> COPELAND KS 67837
>
A 12597 00 IRR NK G
> THAYNE SCHAFER
>
> 458 WW RD
> COPELAND KS 67837
D=====================================
A 12763 00 IRR NK G
> GARETSON BROTHERS
>
> 2394 120TH RD
> COPELAND KS 67837
>======================================
A 14232 00 IRR NK G
> GALE V FRANK
>
> 405 WW RD
> 405 WW RD
> 405 WW RD > COPELAND KS 67837
> 405 WW RD > COPELAND KS 67837 >A 16212 00 IRR NK G
> 405 WW RD > COPELAND KS 67837
> 405 WW RD > COPELAND KS 67837 >
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> 405 WW RD > COPELAND KS 67837 >
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> 405 WW RD > COPELAND KS 67837 A 16212 00 IRR NK G > KELSEY & MARY UNRUH > > 2086 40TH RD > COPELAND KS 67837 >
> 405 WW RD > COPELAND KS 67837 A 16212 00 IRR NK G > KELSEY & MARY UNRUH > > 2086 40TH RD > COPELAND KS 67837 >
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> 405 WW RD > COPELAND KS 67837 A 16212 00 IRR NK G > KELSEY & MARY UNRUH > > 2086 40TH RD > COPELAND KS 67837 >

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JUN 07 2018

Garden City Field Office Division of Water Resources

· COPELAND KS 67837	
,	
A 31931 00 IRR NK G	
GALE V FRANK	
,	
> 405 WW RD	
COPELAND KS 67837	
0 1 250' t	
A 39611 00 IND NKG	
a_ 39611 00 IND NK G ARCHER DANIELS MIDLAND CO + Spacing improved by 350' +	
,	
> 492 WW RD	
> COPELAND KS 67837	
>	

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Garden City Field Office Division of Water Resources AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 12597 00

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 12597 00 IRR

Water Right and Points of Diversion Within 1.00 miles of point defined as:

750 Feet North and 5033 Feet West of the Southeast Corner of Section 23 T 27S R 31W GROUNDWATER ONLY

080=0	==noss:	===						===				2000:						****		******	-===
File	Number		Use	ST	SR	Dist	(ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A	1207	00	IRR	NK	G		4323			NC	NE	3960	1285	26	27	31W	4		235.00	235.00	AF
A	3384	00	IRR	NK	G		2421			NC	NW	3955	3790	26	27	31W	2		213.00	213.00	AF
A	6142	00	IRR	NK	G*		3923		SW	SE	รพ	160	3560	22	27	31W	5		360.00	360.00	AF
A	12597	00	IRR	NK	G*		0		NW	SW	sw	750	5033	23	27	31W	5		160.00	160.00	AF
A	12763	00	IRR	NK	G*		3923		SW	SE	SW	160	3560	22	27	31W	5		444.00	40.00	AF
Same							4232		SW	SW	NE	2772	2525	27	27	31W	5		493.00	400.00	AF
A	16212	00	IRR	NK	G		3238		NM	NM	SE	2500	2315	23	27	31W	6		700.00	700.00	AF
A	16349	00	IRR	NK	G		2421			NC	NW	3955	3790	26	27	31W	2		111.00	111.00	AF
A	24703	00	IRR	NK	G		2069		SE	SW	NW	2661	4250	23	27	31W	7		320.00	320.00	AF
A	27093	00	IRR	NK	G		2383		SW	SE	NE	2700	940	22	27	31W	3		170.00	170.00	AF
A	31931	00	IRR	NK	G		3854		NE	SW	NE	3895	1800	22	27	31W	6		200.00	200.00	AF
A	39611	00	IND	NK	G	4	456)	SW	SW	SW	295	5090	23	27	31W	4		3.22	3.22	AF
45455																					
Total	Total Net Quantities Authorized: Direct Storage RECEIVED																				
Total	Reques	stec	i Amo	ount	: (2	(F) =			.00)			.00						1 12m V	/L_1 Y L_L/	
Total	Permit	tec	i Amo	ount	: (<i>I</i>	(F) =			.00)			.00								
Total	Inspec	cted	l Amo	ount	. (<i>F</i>	(F) =			.00)			.00						JUN	07 2018	
Total	Pro_Ce	ert	Amo	ount	(F} =			.00)			.00								
Total	Certif	ied	1 Amo	ount	: (<i>)</i>	F) =	2	912	2.22	2			.00							ity Field C	
Total	Vested	i	Amo	ount	(/	F) =			.00)			.00						Division of \	Water Res	ources
TOTAL	INDOMA	ľ			(P	F) =	2	912	2.22	2			.00								
	_																				

An * after the source of supply indicates a pending application for change under the file number.

An * after the ID indicates a 15 AF exemption was granted under the file number.

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery. The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1.00 miles of point defined as:

750 Feet North and 5033 Feet West of the Southeast Corner of Section 23 T 27S R 31W GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

A 6142 00 IRR NK G	
> GARETSON BROTHERS	
>	
> 2394 120TH RD	
> COPELAND KS 67837	
>	
A 12597 00 IRR NK G	
> THAYNE SCHAFER	
>	
> 458 WW RD	
> COPELAND KS 67837	
>	
A 12763 00 IRR NK G	
> GARETSON BROTHERS	
>	
> 2394 120TH RD	
> COPELAND KS 67837	
>	
A 16212 00 IRR NK G	
> KELSEY & MARY UNRUH	
>	
> 2086 40TH RD	
> COPELAND KS 67837	
>	
A 16349 00 IRR NK G	
> SAM UNRUH JR	
>	
> 2325 50TH RD	
> COPELAND KS 67837	
>	
A 24703 00 IRR NK G	
> MILTON & GLORIA ARNOLD	
>	
> 14955 S PIERCEVILLE RD	
> PIERCEVILLE KS 67868	
>	
A 27093 00 IRR NK G	
> GALE V FRANK	
>	
> 405 WW RD	
> COPELAND KS 67837	
>	
A 31931 00 IRR NK G	
> GALE V FRANK	
>	
> 405 WW RD	
> COPELAND KS 67837	
>	
A 39611 00 IND NK G	
> ARCHER DANIELS MIDLAND CO	

> 492 WW RD

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Garden City Field Office Division of Water Resources

INPUTS	
Target Section Definition	
Section	22
ownship	27
Range	31
Range Direction	M
Target Point Coordinates (NAD27 or NAD83)	27 or NAD83)
Target Longitude	-100.689250
Farget Latitude	37.680810

-100.68885109

-100.68895720

37.67835294

S

빌

Degrees Longitude per Foot Degrees Latitude per Foot

-100.70700864

-100.70722271

37.67832293 37.69284894 37.69286486

Corner Corner Latitudes

Sĭ ₹

Corner Longitudes

From LEOBASE using NAD83 Loaded Section Data

3.45545734E-06 2.74624165E-06

Load Data and Compute

Target point is In Section

-5201 -5139 115 85

Corner Feet North(+)/South(-) Feet East(-)/West(+)

MS

₹

SE

4390 895

4384

Target Point Distances from Corners using NAD83

10000	
1.00	
I U	
10	
1 2	
18	

- Enter values for section, township, range and range direction. . લું છું 4ું
 - Enter NAD27 or NAD83 longitude and latitude of target point.
 - Click "Load Data and Compute" button.

Loaded Section Data

Use feet distances corresponding to datum of target point.



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Carden City Field Office Division of Water Resources

Соттег	Corner Latitudes	Corner Longitudes
<u> </u>	37.67829900	-100.70678700
<u>≩</u>	37.69282500	-100,70657300
Щ	37.69284100	-100.68841600
SE	37.67832900	-100,68852200
Degre	Degrees Longitude per Foot	3.45545623E-06
Degre	Degrees Latitude per Foot	2.74598553E-06
Targ	Target Point Distances from Corners using NAD27	rners using NAD27
Come	Corner Feet North(+)/South(-) F	Feet East(-)/West(+)
MS SM	914	-5075
ž	4375	-5013
Щ	4381	241
SE	904	211

Target point is In Section

	Difference (NAD83 Minus NAD27)	nus NAD27)
Corner	Corner Corner Latitudes	Corner Longitudes
МS	0.00002393	-0.00043571
<u>≷</u>	0.00002394	-0.00043564
빌	0.00002386	-0.00043509
밇	0.00002394	-0.00043520
	Difference (NAD83 Minus NAD27)	nus NAD27)
Corner	正	Feet East(-)/West(+)
SW	-8.79901071	-126.09166493
<u>≷</u>	-8.30929025	-126.07142701

	INPUTS	opalis do haja	
	Longitude	Latitude	
	-100.689250		
Point 2	-100.691939	37.679231	Domesti

Proposed 12597 Domestic in 22-27-31 RECEIVED

JUN 07 2018

3.45519858E-06 2.74624352E-06

Garden City Field Office Division of Water Resources

Degrees Latitude per Foot

Degrees Longitude per Foot

Distance Between Points (ft)

968

Compute Distance Between Points

Instructions

- 1. Enter Longitudes and Latitudes of the two points (both must be in the same datum, NAD27 or NAD83).
- 2. Click "Compute Distance Between Points" button.

Salara a garag	INPUTS	y fe ^l ans of the relative profession of the control of the contro	
	Longitude		
			Proposed 12597
Point 2	-100.687320	37.684669	Domestic in 23-27-31

Degrees Latitude per Foot Degrees Latitude per Foot

Distance Between Points (ft)

3.45532470E-06 2.74624223E-06

Day Lot

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Garden City Field Office Division of Water Resources

Compute Distance Between Points

Instructions

1. Enter Longitudes and Latitudes of the two points (both must be in the same datum, NAD27 or NAD83).

1512

2. Click "Compute Distance Between Points" button.

	INPUTS	
	Longitude	Latitude
Point 1	-100.689250	37,680810
Point 2	-100.687359	37,679248

Proposed 12597 Domestic in 23-27-31 Magner

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Degrees Longitude per Foot Degrees Latitude per Foot

3.45519899E-06 2.74624351E-06

JUN 07 2018

Distance Between Points (ft)

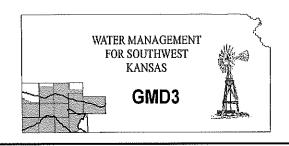
789 706

Garden City Field Office Division of Water Resources

Compute Distance Between Points

Instructions

- 1. Enter Longitudes and Latitudes of the two points (both must be in the same datum, NAD27 or NAD83).
- 2. Click "Compute Distance Between Points" button.



Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street Garden City, Kansas 67846

(620) 275-7147 phone (620) 275-1431 fax www.gmd3.org

June 6, 2018

Thomas P. Makens Division of Water Resources 2508 N Johns Street Garden City, Kansas 67846 RECEIVED

JUN 08 2018

Garden City Field Office Division of Water Resources

Application for Change in Point of Diversion

Water Right, File No. 12597

Applications for Change in Place of Use Water Right, File Nos. 6142, 12597 & 12763

Dear Thomas:

RE:

We have completed a review of the applications for the above referenced water rights. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed distance moved and well spacing for WR 12597, since they are increasing spacing not currently met to WR 39611, is in accordance with K.A.R. 5-23-3(c)(2). Minimum spacing to all other wells is met. The proposed change in place of use on all three water rights, to create a complete overlap, is in accordance with KAR 5-5-11(b)(1). It is therefore recommended that the applications be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,

Jason L. Norquest Assistant Manager

Makens, Thom [KDA]

From:

Meyer, Mike [KDA]

Sent:

Wednesday, June 13, 2018 3:26 PM

To:

Makens, Thom [KDA]

Subject:

FW: 12597 redrill 500 ft deep 10100 ft from HS3

Please put this note in the file and proceed.

Mike

From: Munson, John

Sent: Wednesday, June 13, 2018 2:17 PM

To: Meyer, Mike [KDA] < Mike. Meyer@ks.gov>
Cc: Beightel, Chris [KDA] < Chris. Beightel@ks.gov>

Subject: RE: 12597 redrill 500 ft deep 10100 ft from HS3

I don't think so. The wells we have monitored have not shown a significant direct influence from that far away,

John

From: Meyer, Mike [KDA]

Sent: Wednesday, June 13, 2018 2:09 PM **To:** Munson, John < <u>John.Munson@ks.gov</u>> **Cc:** Beightel, Chris [KDA] < Chris.Beightel@ks.gov>

Subject: FW: 12597 redrill 500 ft deep 10100 ft from HS3

Importance: High

John is this application a concern for more in-depth review to ensure it will not impair?

Mike

From: Makens, Thom [KDA]

Sent: Wednesday, June 13, 2018 2:02 PM
To: Meyer, Mike [KDA] < Mike. Meyer@ks.gov >
Subject: 12597 redrill 500 ft deep 10100 ft from HS3

Approvable?

Thom Makens 276-2901 KDA-DWR 2508 John St Garden City KS 67846-2804

RECORDED IN MY OFFICE THE 1243
DAY OF THE 1243
HASKELE COUNTY CLERK
SYSH

STATE OF KANSAS, HASKELL COUNTY This instrument was filed for record on March 12, 2018 3:56 PM and Recorded in Book 236 Page 690-691

Fees: \$38.00 20180018

Candy Huffine Gandy Huffine , Register of Deeds



EXECUTOR'S DEED

THIS INDENTURE made on March ________, 2017, by and between DON K. KOEHN, EXECUTOR OF THE ESTATE OF LUELLA KOEHN, DECEASED, as GRANTOR and

BATAVIA FARMS, LLC

#12597

as GRANTEE.

Grantor, acting under express powers granted by the will of Luella Koehn, deceased, has sold the real estate hereinafter described in consideration of the sum of One Hundred Thirty-seven Thousand Six Hundred Dollars (\$137,600), the receipt of which is acknowledged, and Grantor by these presents grants, bargains, sells, and conveys unto Grantee, its successors and assigns, all right, title, and interest of Luella Koehn, deceased, discharged from liability of her debts, in and to all the following described real estate in Haskell County, Kansas:

SEE EXHIBIT A ATTACHED FOR DESCRIPTION

TO HAVE AND TO HOLD the above granted premises, together with the appurtenances and hereditaments and every part thereof, unto the Grantee, its successors and assigns.

IN WITNESS WHEREOF, Grantor has signed this instrument March 7, 2018

ESTATE OF LUELLA KOEHN, DECEASED

By: Nor Mikh Cughe Don K. Koehn, Executor

STATE OF MISSISSIPPI

COUNTY OF Chickasaw)

The foregoing instrument was acknowledged before me on March ______, 2018, by Don K. Koehn, as Executor of the estate of Luella Koehn, deceased.

Dingu Blan Notary Public

My Term Expires:



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MAR 1 5 2018

Garden dily Field Office Division of Water Resources

KYLER G. KNOBBE BO. BOX 937 CIMARRON, KANSAS 67835 (620) 856-) 100 knobbe@beom.nec

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MAR 1 5 2018

Garden City Field Office
Division of Water Resources

EXHIBIT A TO EXECUTOR'S DEED

New Tract of Land located in the Southwest Quarter of Section 23, Township 27 South, Range 31 West of the 6th P.M., Haskell County, Kansas, more particularly described as follows:

Commencing at the West Quarter corner of said Section 23 being a found 1/2" R-bar, Matthews:

thence South 88°26'46" East on the North line of said Southwest Quarter of Section 23 a distance of 653.00 feet to the point of beginning being a found 1/2" R-bar, CPS;

thence continuing South 88°26'46" East on said North line of Section 23 a distance of 964.01 feet to a set 1/2" R-bar, CPS cap typical;

thence South 01°43'05" West on a Tract line a distance of 2381,87 feet to a set 1/2" R-bar;

thence North 88°26'46" West on a Tract line a distance of 858,00 feet to a set 1/2" R-bar;

thence North 01°43'05" East on a Tract line a distance of 19.96 feet to a set 1/2" R-bar;

thence North 88°21'38" West on a Tract line a distance of 341.41 feet to a found 5/8" R-bar, Gilson 0.5 feet South;

thence North 00°00'22" East on a Tract line a distance 59.52 feet to a found 1/2" R-bar, Parks;

thence South 88°32'57" East on a Tract line a distance of 320.00 feet to a found 1/2" R-bar, Parks;

thence North 01°27'03" East on a Tract line a distance of 220.00 feet to a found 8 inch steel post, ADM;

thence North 34°48'16' West on a Tract line a distance of 217.02 feet to a found 1/2" R-bar, Parks;

thence North 88°32'57" West on a Tract line a distance of 352,66 feet to a found 1/2" R-bar, Parks;

thence North 01°24'53" East on a Tract line a distance of 315.00 feet to a found 5/8" R-bar, Gilson;

thence North 88°22'44" West on a Tract line a distance of 251.30 feet witnessed to the East by a 30 foot offset 5/8" R-bar, Gilson;

thence North 01°43'05" East on the West line of said Section 23 a distance of 836.90 feet witnessed to the East by a 24 foot offset 1/2" R-bar, CPS; thence South 89°57'54" East on a Tract line a distance of 471.23 feet to a found 1/2" R-bar, CPS;

thence on a Tract non-tangential curve to the right having a delta angle of 17°06'29", a radius of 1220.40 feet, an arc length of 364.41 feet, a chord length of 363.05 feet, and a chord bearing of North 31°46'24" East to a found 1/2" R-bar, CPS;

thence North 01°44'12" East on a Tract line a distance of 428.79 feet to the point of beginning containing 68.8 acres, more or less.

General Information

Subject Property: 0410162300000001030

QuickRef ID: R301908 Click here to locate on Map

Owner Name: ARCHER-DANIELS MIDLAND CO No property photo available

Location: 00000 WW RD, Sublette, KS 67877.

Legal Desc: S23, T27, R31W, ACRES 2.7, BEG 253'E & 713.1'N SW COR SW4, TH N25',

E352.6', SE217', S220', W320', N370', W161' TO POB.

The legal description displayed above is not adequate for use in legal documents

Owner Information

Owner: Mailing Address:

ARCHER-DANIELS MIDLAND CO
ATTN: RICH DYE 4666 FARIES PKWY

DECATUR, IL 62526

Property Details

Property Type: Property Status: Taxing Unit: Neighborhood Code:

Vacant Active 006 - LOCKPORT 476 300.0

Market Land Details

Actual Width: Eff Width: Eff Depth: Acres: Square Feet:

2.7

No Permit Details found.

Value Details

Year: 2017

Current Final Value (Agricultural):

Land: \$310

Building: \$0

Total: \$310

Deed Book/Page

Book / Page List and Misc Legal Description Info:

Book: Page:

201xxx 309-310

General Information

Subject Property: 0410162300000004000

QuickRef ID: R116 Click here to locate on Map

No property photo available Owner Name: ARCHER-DANIELS MIDLAND CO

Location: 00000 COUNTY ROAD, Sublette, KS 67877.

S23, T27, R31W, ACRES 5, TR 298'N(S) & 30'E SWCORSW FOR POB, Legal Desc:

E386'(S), N370', W161', N25', W221', S395' TO POB.

The legal description displayed above is not adequate for use in legal documents

Owner Information

Mailing Address: Owner:

ATTN: RICH DYE 4666 FARIES PKWY ARCHER-DANIELS MIDLAND CO DECATUR, IL 62526

Property Details

Property Status: Taxing Unit: Neighborhood Code: Property Type:

Commercial & Active 006 - LOCKPORT 476 300.0 Industrial

Market Land Details

Eff Depth: Square Feet: Actual Width: Eff Width: Acres:

3.4

No Permit Details found.

Value Details

Year: 2017

Land: \$6,000 Current Final Value (Commercial and Industrial):

Building: \$1,554,000

Total: \$1,560,000

Deed Book/Page

Book / Page List and Misc Legal Description Info:

Book/Page 0096/0772 0149/0435

Book: Page:

> 236xxx 50-52

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Subject Property: 0410162300000004010

QuickRef ID: R303240 Click here to locate on Map

Owner Name: CROP PRODUCTION SERVICES No property photo available

Location: COUNTY ROAD, Sublette, KS 67877.

Legal Desc. S23, T27, R31W, ACRES 1.7, BEG 1052'N & 30'E SWCORSEC; TH E221',

Legal Desc: \$325, 127, R51 W, ACRES 1.7, \$315', W221', N315' TO POB.

The legal description displayed above is not adequate for use in legal documents

Owner Information

Owner: Mailing Address:

CROP PRODUCTION SERVICES

3005 ROCKY MOUNTAIN AVE
LOVELAND, CO 80538

Property Details

Property Type: Property Status: Taxing Unit: Neighborhood Code:

Vacant Active 006 - LOCKPORT 476 300.0

Market Land Details

Actual Width: Eff Width: Eff Depth: Acres: Square Feet:

1.7

No Permit Details found.

No Value Details found.

Deed Book/Page

Book / Page List and Misc Legal Description Info:

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Subject Property: 0410162300000001040

QuickRef ID: R302950 Click here to locate on Map

Owner Name: SCHAFER, KATHLEEN JANE

No property photo available

Location: 00000 COUNTY ROAD, Sublette, KS 67877.

Legal Desc: S23, T27, R31W, Acres 4.8, TR 30'E NWCORSW FOR POB, E385', S544',

Legar Desc. W385', N544', TO POB.

The legal description displayed above is not adequate for use in legal documents

Owner Information

Owner: Mailing Address:

SCHAFER, KATHLEEN JANE 452 WW RD COPELAND, KS 67837

Property Details

Property Type: Property Status: Taxing Unit: Neighborhood Code:

Farm Homesite Active 006 - LOCKPORT 476 300.0

Market Land Details

Actual Width: Eff Width: Eff Depth: Acres: Square Feet:

4.8

2121	\$0	New garage \$ vinyl
Number: Date:	Amount:	Purpose:
Permit Details		

	stang	
Year:	2017	
Land:	\$340	
Building:	\$13,590	
Total:	\$13,930	*******************************
Year:	2017	
Land:	\$2,000	
Building:	\$45,090	
Total:	\$47,090	
	Land: Building: Total: Year: Land: Building:	Land: \$340 Building: \$13,590 Total: \$13,930 Year: 2017 Land: \$2,000 Building: \$45,090

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