

Kansas Department of Agriculture  
 Division of Water Resources  
**CHANGE: P/D & P/U WORKSHEET**

1. File Number: <p style="text-align: center; font-size: 1.2em;">12597</p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em;">6/18/18</p>	3. Change Num: <p style="text-align: center; font-size: 1.2em;">C1</p>	4. Field Office: <p style="text-align: center; font-size: 1.2em;">04</p>	5. GMD: <p style="text-align: center; font-size: 1.2em;">03</p>
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: <p style="text-align: center; font-size: 1.2em;">5/10/18</p>
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8a. Applicant(s) New to system <input checked="" type="checkbox"/>  Person ID _____ Add Seq# _____  <b>BATAVIA FARMS LLC</b> <b>2394 120TH RD</b> <b>COPELAND KS 67837</b>	8c. Landowner(s) New to system <input type="checkbox"/>  Person ID _____ Add Seq# _____
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8b. Landowner(s) New to system <input checked="" type="checkbox"/>  Person ID _____ Add Seq# _____  <b>BATAVIA FARMS LLC</b> <b>PO BOX 61020</b> <b>DENVER CO 80206</b>	8d. WUC New to system <input checked="" type="checkbox"/>  Person ID _____ Add Seq# _____  <b>BATAVIA FARMS LLC</b> <b>2394 120TH RD</b> <b>COPELAND KS 67837</b>
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9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: 12/31/18     N & P Date to Comply: 12/31/18

Anti-Reverse Meter   
  Meter Seal   
  Check Valve   
  N & P Form   
  Water Tube   
  Driller Copy   
  H & E Letter

Conservation Plan   
 Date Required: \_\_\_\_\_   
 Date Approved: \_\_\_\_\_   
 Date to Comply: \_\_\_\_\_

10. Use Made of Water    From: \_\_\_\_\_    To: \_\_\_\_\_

Date Prepared: **6/13/18**    By: **TPM**  
 Date Entered: \_\_\_\_\_    By: \_\_\_\_\_



STATE OF KANSAS



PHONE: (620) 276-2901

FAX: (620) 276-9315

www.agriculture.ks.gov

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

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

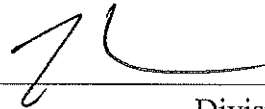
TPM:tpm  
Enclosures  
GMD#3

**CERTIFICATE OF SERVICE**

On this 19<sup>th</sup> 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



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Division of Water Resources





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~~ <sup>Colorado</sup>, 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

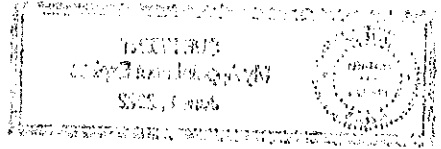
My Commission Expires

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**

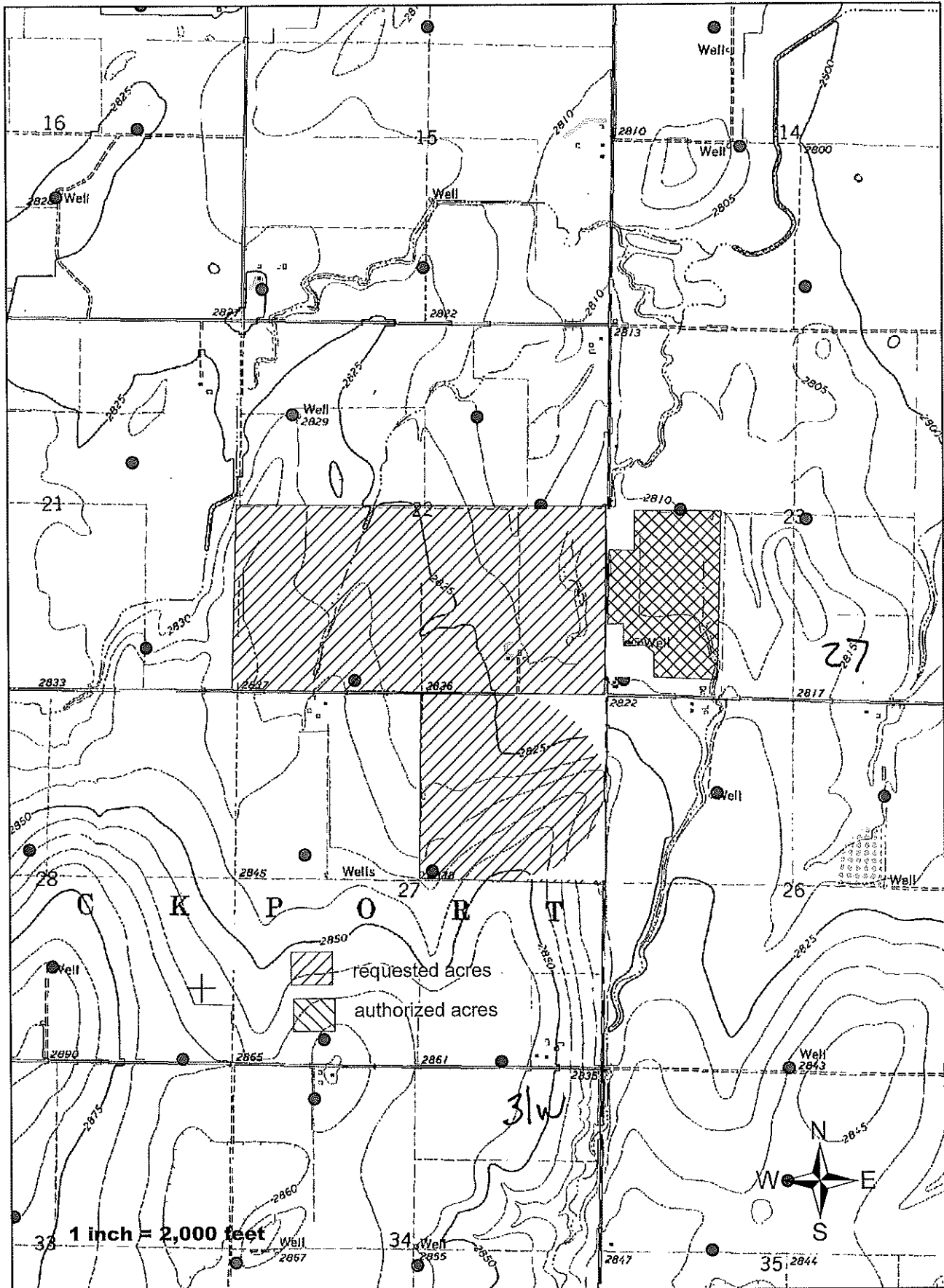
- (1) Application to change a point of diversion 300 feet or less . . . . . \$100
- (2) Application to change a point of diversion more than 300 feet . . . . . \$200
- (3) Application to change the place of use . . . . . \$200







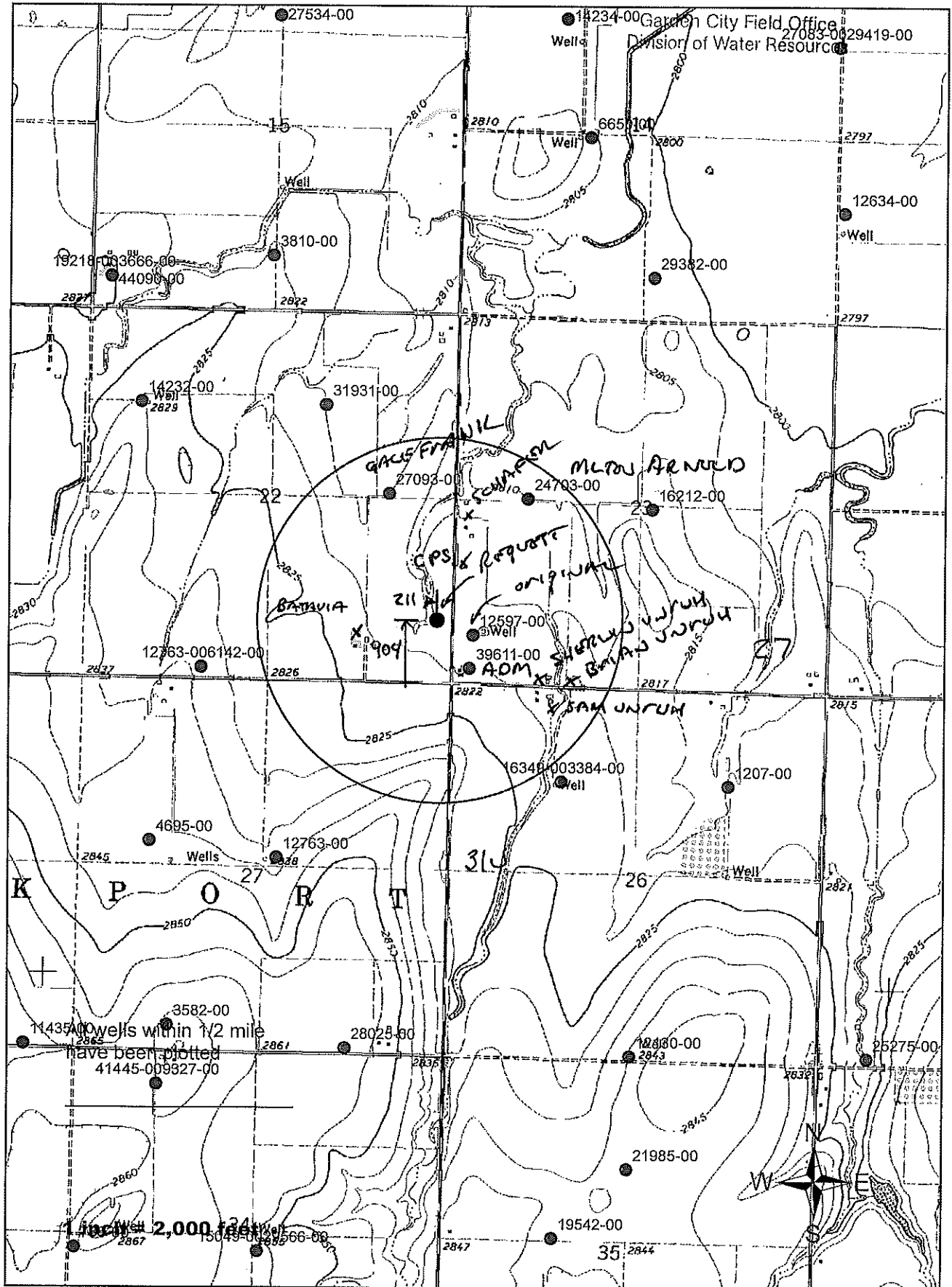
# 12597 PU



12597 PD

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MAY 10 2018



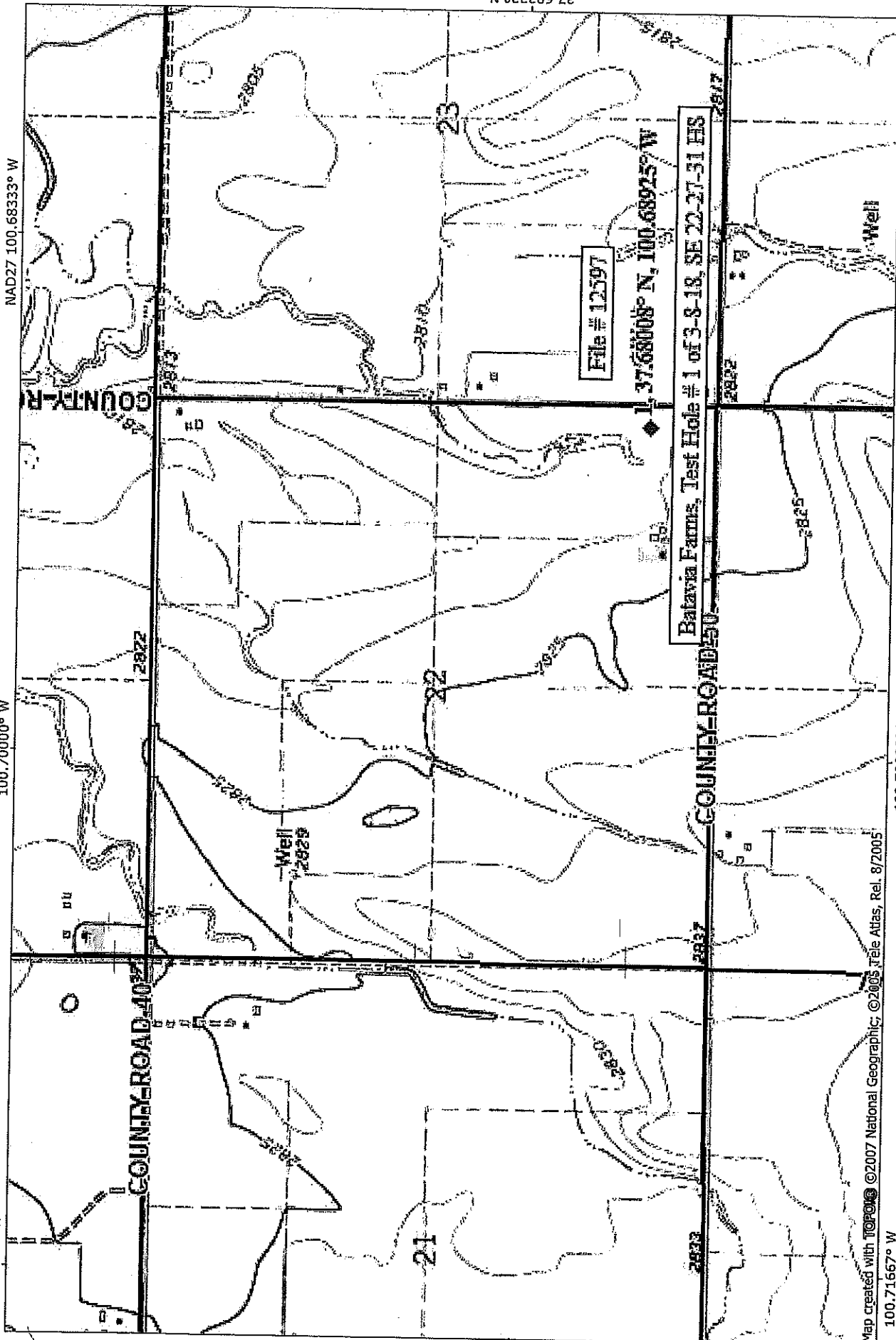


TOPO! map printed on 03/12/18 from "Untitled.tpo"

100.71667° W

100.70000° W

NAD27 100.68333° W



37.68333° N

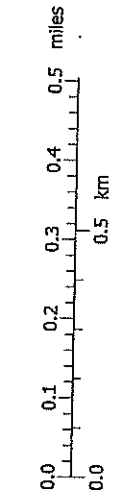
Map created with TOPO! ©2007 National Geographic; ©2005, 1986 Atlas, Rel. 8/2005

100.71667° W

100.70000° W

NAD27 100.68333° W

**NATIONAL  
GEOGRAPHIC**



TN MN

5 1/2°

03/12/18

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: 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.

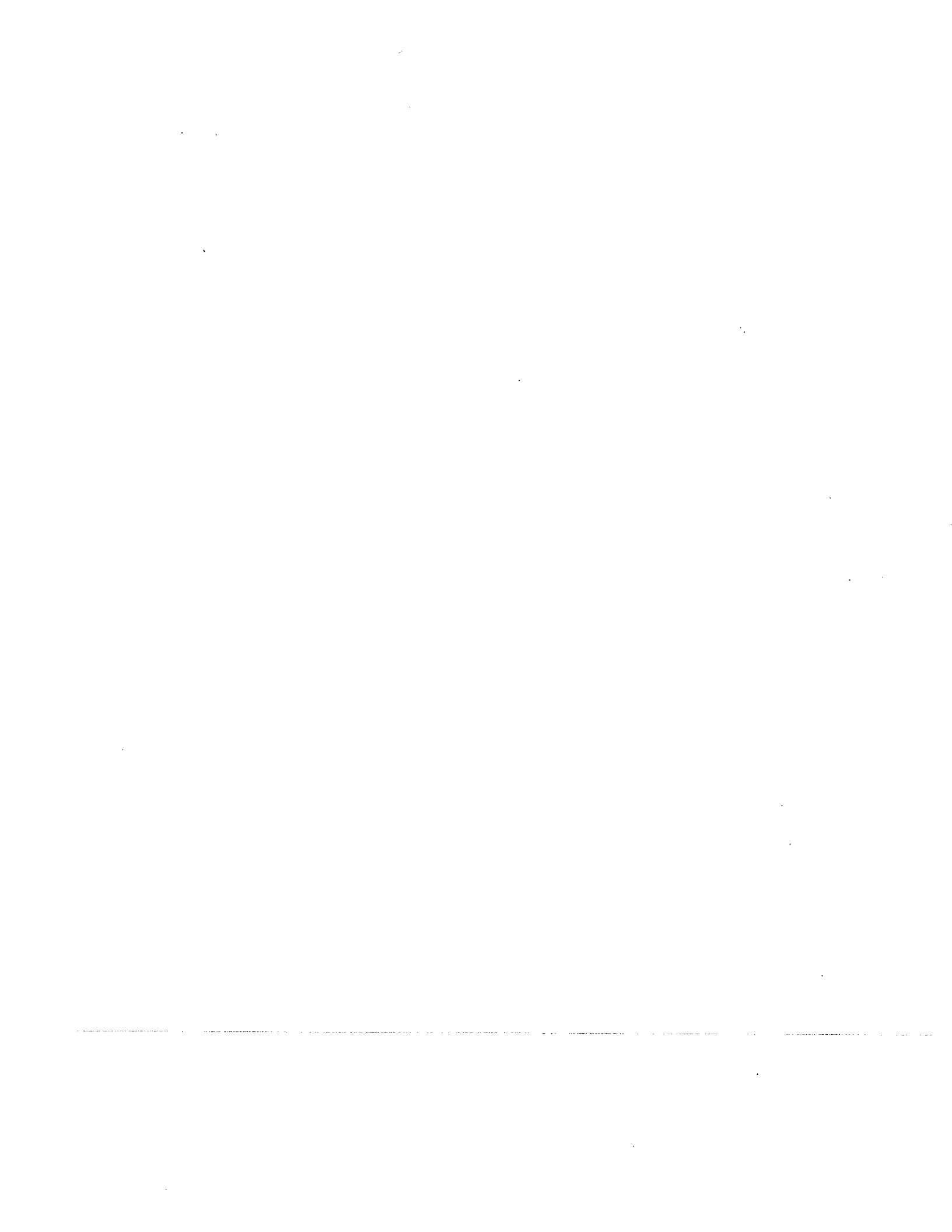
(If more space is needed, attach additional sheets as necessary.)

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 Denver, Colorado, this 18th day of April, 2018.  
(City) (Month) (Year)

Zachary D Holland  
(Owner)

Zachary D Holland  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Please Print)

Melissa L Holland  
(Spouse)

Melissa L Holland  
(Please Print)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

**RECEIVED**  
(Spouse)

**MAY 10 2018**  
(Please Print)

Garden City Field Office  
Division of Water Resources

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.  
(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 5<sup>th</sup> day of April, 2018.  
(City) (Month) (Year)

[Signature]  
(Owner)  
Louis J. Kerman  
(Please Print)

\_\_\_\_\_  
(Spouse)  
\_\_\_\_\_  
(Please Print)

General Manager  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

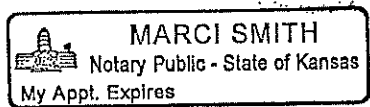
RECEIVED  
(Please Print)  
MAY 10 2018

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

5<sup>th</sup> day of April, 2018.  
(Month) (Year)



[Signature]  
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

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 Schafer  
(Owner)

David Schafer  
(Spouse)

Kathleen Jane Schafer  
(Please Print)

David Schafer  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

RECEIVED  
MAY 03 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

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

Brandi Sneath  
Notary Public

My Commission expires 10/01/2019

1000 1000 1000

1000 1000

1000 1000

1000 1000 1000

1000 1000

1000 1000 1000

1000 1000

1000 1000

1000

1000 1000

1000 1000

1000 1000

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 10<sup>th</sup> day of MAY, 2018.  
(City) (Month) (Year)

Archer Daniels Midland Co.  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

Pete [Signature]  
(Owner)

\_\_\_\_\_  
(Spouse)

PETE [Signature] ADM [Signature] 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

10<sup>th</sup> 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.

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.





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  
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](#)







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

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](http://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



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

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.

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](http://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices)

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Sincerely,

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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

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](http://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices)

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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



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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.

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](http://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices)

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Sincerely,

Thomas P. Makens  
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](http://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices)

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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

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](http://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices)

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Sincerely,

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

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](http://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices)

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Sincerely,

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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

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](http://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices)

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Sincerely,

Thomas P. Makens  
Environmental Scientist III

pc: GMD#3





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	Q3	Q2	Q1	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	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	2661	4250	23	27	31W	7	320.00	320.00	AF
A__ 27093	00	IRR	NK	G	2383	--		SW	SE	2700	940	22	27	31W	3	170.00	170.00	AF
A__ 39611	00	IND	NK	G	456	--		SW	SW	295	5090	23	27	31W	4	3.22	3.22	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.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 \* 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

-----  
=====

#####

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

904 ft N and 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

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
A__ 12597 00 IRR NK G      577 -- NW SW SW  750 5033 23 27 31W  5      160.00  160.00 AF
A__ 24703 00 IRR NK G     2139 -- SE SW NW 2661 4250 23 27 31W  7      320.00  320.00 AF
A__ 27093 00 IRR NK G     1938 -- SW SE NE 2700  940 22 27 31W  3      170.00  170.00 AF
A__ 39611 00 IND NK G      832 -- SW SW SW  295 5090 23 27 31W  4         3.22   3.22 AF
=====
    
```

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=====
Total Net Quantities Authorized:   Direct           Storage
Total Requested Amount (AF) =         .00             .00
Total Permitted Amount (AF) =         .00             .00
Total Inspected Amount (AF) =         .00             .00
Total Pro_Cert Amount (AF) =         .00             .00
Total Certified Amount (AF) =       653.22             .00
Total Vested Amount (AF) =           .00             .00
TOTAL AMOUNT (AF) =       653.22             .00
=====
    
```

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 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:

```

=====
File Number   Use ST SR
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
>-----
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

>-----

=====

STATE OF KANSAS



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

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www.agriculture.ks.gov

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

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.

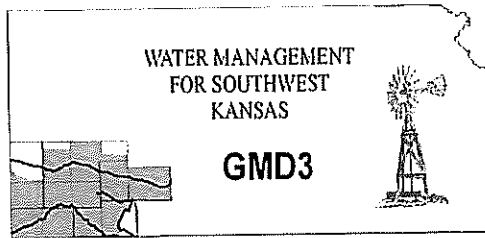
Thank you and as always feel free to call or write us at any time.

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 City Field Office  
Division of Water Resources

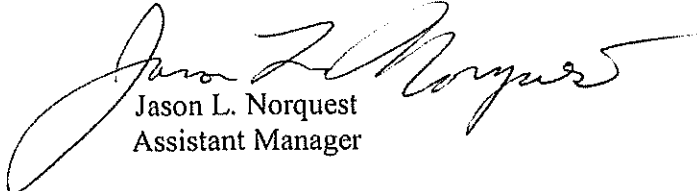
RE: Application for Change in Point of Diversion  
Water Right, File No. 12597  
Applications for Change in Place of Use  
Water Right, File Nos. 6142, 12597 & 12763

Dear Thomas:

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, 12597 & 12763.

DWR office: GC.

App filed to change: PD (12597) & PU on all 3.

Is Landowner(s) correct in WRIS:    .

    If NO, is documentation included?

Is Water Use Correspondent correct in WRIS?    .

    If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-23-3 & KAR 5-5-11

Point of diversion ID No(s) 05 being changed.

RECEIVED

JUN 07 2018

Garden City Field Office  
Division of Water Resources

	ft. North	ft. West	
Authorized PD	750	5033	Sect 23-27-31
Proposed PD	904	211	sect 22-27-31
Difference	-154 N	458 W	
a2 + b2 = c2	23716	209764	483.1977 foot move NW

GPS for proposed PD: Lat: 37.68081 Long: -100.68925.

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? Complete overlap on all 3 water rights, plus reduction in acres for 12597.

Land Owner(s) notified: Appears so.

Name    . Name    .

Address    . Address    .

Zip    . Zip    .

Neighboring certified well(s) notified: Appears so.

Name    . Name    .

Address    . Address    .

Zip    . Zip    .

Domestic well(s) notified: Spacing is MET.

Name    . Name    .

Address    . Address    .

Zip    . Zip    .

Base Acres: Not needed for a complete overlap.

Perfected Acres:    .

Irr. Return-Flow    %

### Current acres:

**6142: 320 (South half of 22)**

**12597: 85 (68.8 proposed on reduction)(SW of 23)**

**12763: 146 (separate acres in NE of 27)( Also overlaps 292 acres in S2 of 22 w/6142)**

**Total acres are 551**

**Proposed acres with reduction is 534.8 acres.**

**1036AF total authorized with the limitations that are in place on 12763.**

**That would be 1.9AF/acre after the reduction in acres proposed for 12597.**



## 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.

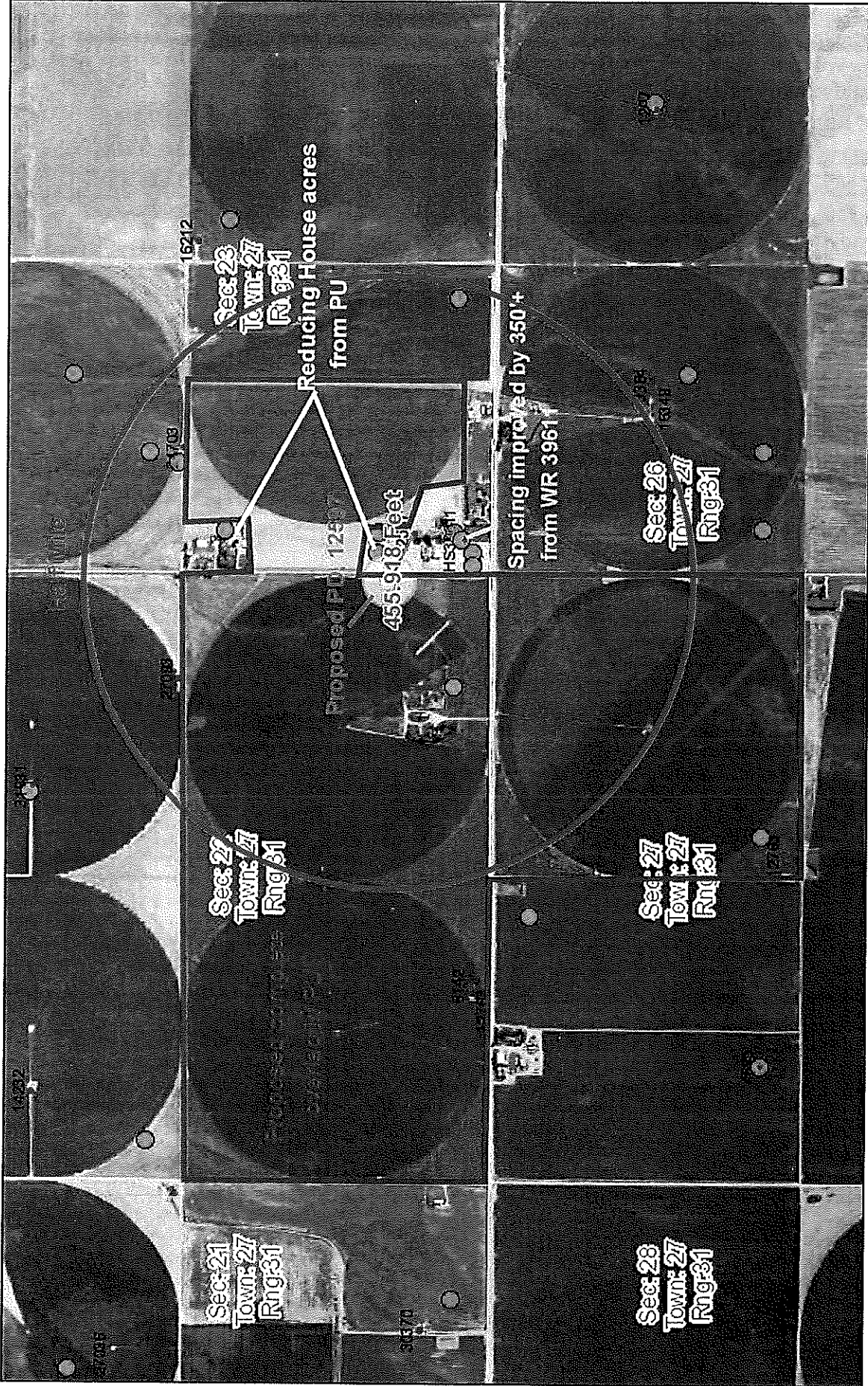
RECEIVED

JUN 07 2018

Garden City Field Office  
Division of Water Resources

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a series of loops and a final upward stroke.

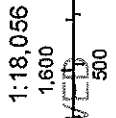
# Change Review; 6142, 12597 & 12763



June 6, 2018  
08:46 AM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

GPS Position    
 Wells    
 + CON    
 ☛ FPR    
 ▲ MUN    
 ⚡ THX  
 ? Other    
 ☒ DEW    
 ○ HYD    
 ♀ REC    
 ? Empty  
 • IRR    
 ☆ DOM    
 ☆ IND    
 ☆ STK    
 ● WWC5 WELLS GMD3



JUN 07 2018

Water Rights and Points of Diversion Within 1.00 miles of point defined as:  
 904 ft N and 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*

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
A__ 1207 00	IRR	NK	G	4898	--	--	NC	NE	3960	1285	26	27	31W	4		235.00	235.00	AF 1600
A__ 3384 00	IRR	NK	G	2916	--	--	NC	NW	3955	3790	26	27	31W	2		213.00	213.00	AF 1400
A__ 4695 00	IRR	NK	G	5177	--	SE	SW	NW	-----	-----	27	27	31W	2		320.00	320.00	AF 1400
A__ 6142 00	IRR	NK	G*	3441	--	SW	SE	SW	160	3560	22	27	31W	5		360.00	360.00	AF 2800
A__ 12597 00	IRR	NK	G*	577	--	NW	SW	SW	750	5033	23	27	31W	5		160.00	160.00	AF 1300
A__ 12763 00	IRR	NK	G*	3441	--	SW	SE	SW	160	3560	22	27	31W	5		444.00	40.00	AF
Same				4098	--	SW	SW	NE	2772	2525	27	27	31W	5		493.00	400.00	AF 2100
A__ 14232 00	IRR	NK	G	5160	--	NC	W2	NW	3750	4520	22	27	31W	2		270.00	270.00	AF 1600
A__ 16212 00	IRR	NK	G	3592	--	NW	NW	SE	2500	2315	23	27	31W	6		700.00	700.00	AF 2300
A__ 16349 00	IRR	NK	G	2916	--	--	NC	NW	3955	3790	26	27	31W	2		111.00	111.00	AF
A__ 24703 00	IRR	NK	G	2139	--	SE	SW	NW	2661	4250	23	27	31W	7		320.00	320.00	AF 1400
A__ 27093 00	IRR	NK	G	1938	--	SW	SE	NE	2700	940	22	27	31W	3		170.00	170.00	AF 1300
A__ 31931 00	IRR	NK	G	3387	--	NE	SW	NE	3895	1800	22	27	31W	6		200.00	200.00	AF 1300
A__ 39611 00	IND	NK	G	832	--	SW	SW	SW	295	5090	23	27	31W	4		3.22	3.22	AF 1300

Total Net Quantities Authorized:	Direct	Storage
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Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	3502.22	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	3502.22	.00

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JUN 07 2018

Garden City Field Office  
 Division of Water Resources

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 1.00 miles of point defined as:  
 100.689251 West Longitude and 37.680812 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 1207 00	IRR	NK	G
> ORVILLE L WILLIAMS			
>			
> 11304 BB RD			
> MONTEZUMA KS 67867			
-----			
A__ 3384 00	IRR	NK	G
> SAM UNRUH JR			
>			
> 2325 50TH RD			
> COPELAND KS 67837			
-----			

A\_\_ 4695 00 IRR NK G  
> ROBERT M NIGHTENGALE  
>  
> 2225 50TH 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 SCHAFFER  
>  
> 458 WW RD  
> COPELAND KS 67837  
>-----

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  
> 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

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Division of Water Resources

> 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

> COPELAND KS 67837

>-----

=====

\* Spacing improved by 350' +

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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 *Current*

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

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	SW	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	--	NW	NW	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	456	--	SW	SW	SW	295	5090	23	27	31W	4		3.22	3.22	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	2912.22	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	2912.22	.00

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JUN 07 2018

Garden City Field Office  
Division of Water Resources

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:

File Number Use ST SR

A\_\_ 1207 00 IRR NK G

> ORVILLE L WILLIAMS

>

> 11304 BB RD

> MONTEZUMA KS 67867

>-----

A\_\_ 3384 00 IRR NK G

> SAM UNRUH JR

>

> 2325 50TH 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 SCHAFFER  
>  
> 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
Township	27
Range	31
Range Direction	W
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-100.689250
Target Latitude	37.680810

Load Data and Compute

- Instructions**
1. Enter values for section, township, range and range direction.
  2. Enter NAD27 or NAD83 longitude and latitude of target point.
  3. Click "Load Data and Compute" button.
  4. Use feet distances corresponding to datum of target point.

*210605650  
NAD27*

Loaded Section Data		
From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	37.67832293	-100.70722271
NW	37.69284894	-100.70700864
NE	37.69286486	-100.68885109
SE	37.67835294	-100.68895720
Degrees Longitude per Foot		3.45545734E-06
Degrees Latitude per Foot		2.74624165E-06
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	906	-5201
NW	-4384	-5139
NE	-4390	115
SE	895	85

Target point is in Section

Loaded Section Data		
From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	37.67829900	-100.70678700
NW	37.69282500	-100.70657300
NE	37.69284100	-100.68841600
SE	37.67832900	-100.68852200
Degrees Longitude per Foot		3.45545623E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	914	-5075
NW	-4375	-5013
NE	-4381	241
SE	904	211

Target point is in Section

Difference (NAD83 Minus NAD27)		
Corner	Corner Latitudes	Corner Longitudes
SW	0.00002393	-0.00043571
NW	0.00002394	-0.00043564
NE	0.00002386	-0.00043509
SE	0.00002394	-0.00043520
Difference (NAD83 Minus NAD27)		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	-8.79901071	-126.09166493
NW	-8.30929025	-126.07142701

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Carden City Field Office  
Division of Water Resources





INPUTS		
	Longitude	Latitude
Point 1	-100.689250	37.680810
Point 2	-100.687320	37.684669

Proposed 12597  
Domestic in 23-27-31

Degrees Longitude per Foot 3.45532470E-06  
 Degrees Latitude per Foot 2.74624223E-06

Distance Between Points (ft) 1512

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.

*David Schaefer*

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JUN 07 2018

Garden City Field Office  
 Division of Water Resources

INPUTS		
	Longitude	Latitude
Point 1	-100.689250	37.680810
Point 2	-100.687359	37.679248

Proposed 12597  
Domestic in 23-27-31

*Log bar  
U-mk*

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Degrees Longitude per Foot      3.45519899E-06  
 Degrees Latitude per Foot        2.74624351E-06

JUN 07 2018

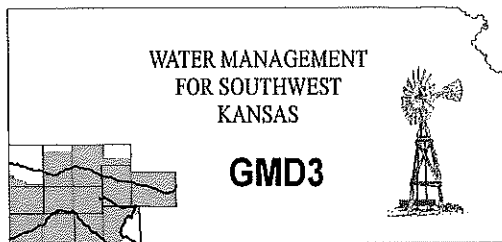
Distance Between Points (ft)      ~~700~~ 706

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

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JUN 08 2018

Garden City Field Office  
Division of Water Resources

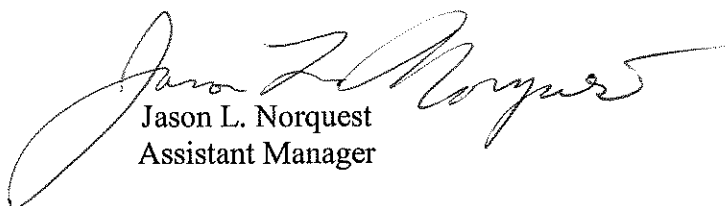
RE: Application for Change in Point of Diversion  
Water Right, File No. 12597  
Applications for Change in Place of Use  
Water Right, File Nos. 6142, 12597 & 12763

Dear Thomas:

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 <John.Munson@ks.gov>  
**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*

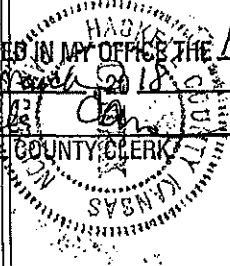
**From:** Makens, Thom [KDA]  
**Sent:** Wednesday, June 13, 2018 2:02 PM  
**To:** Meyer, Mike [KDA] <Mike.Meyer@ks.gov>  
**Subject:** 12597 redrill 500 ft deep 10100 ft from HS3

Approvable?

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





RECORDED IN MY OFFICE THE 12th  
 DAY OF March 2018  
 HASKELL COUNTY CLERK  




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 201800188



Candy Huffine  
 Candy Huffine, Register of Deeds

**EXECUTOR'S DEED**

THIS INDENTURE made on March 7, 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: Don K. Koehn Trustee  
 Don K. Koehn, Executor

STATE OF MISSISSIPPI )  
 )  
 COUNTY OF Chickasaw)

The foregoing instrument was acknowledged before me on March 7, 2018, by Don K. Koehn, as Executor of the estate of Luella Koehn, deceased.

Ginger Bean  
 Notary Public

My Term Expires:  
9-22-20



RECEIVED  
 MAR 15 2018  
 Garden City Field Office  
 Division of Water Resources

RECEIVED

MAR 15 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.

**Subject Property: 041016230000001030**

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**

Current Final Value (Agricultural) :

Year :

2017

Land :

\$310

Building :

\$0

Total :

\$310

**Deed Book/Page**

Book / Page List and Misc Legal Description Info :

Book :

Page :

201xxx

309-310

**No Sale Details found. (Please log in to view this data.)**



**Subject Property: 0410162300000004000**

QuickRef ID : R116

[Click here to locate on Map](#)

Owner Name : ARCHER-DANIELS MIDLAND CO

No property photo available

Location : 00000 COUNTY ROAD, Sublette, KS 67877.

Legal Desc : S23, T27, R31W, ACRES 5, TR 298'N(S) & 30'E SWCORSW FOR POB, E386'(S), N370', W161', N25', W221', S395' 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 :

Commercial &  
Industrial

Active

006 - LOCKPORT 476

300.0

**Market Land Details**

Actual Width :

Eff Width :

Eff Depth :

Acres :

Square Feet :

3.4

**No Permit Details found.**

**Value Details**

Current Final Value (Commercial and Industrial) :

Year : 2017

Land : \$6,000

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

**No Sale Details found. (Please log in to view this data.)**



**Subject Property: 041016230000004010**

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', S315', 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 :

**No Sale Details found. (Please log in to view this data.)**





**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', 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

**Permit Details**

Number :

Date :

Amount :

Purpose :

2121

\$0

New garage \$ vinyl siding

**Value Details**

Current Final Value (Agricultural) :

Year :

2017

Land :

\$340

Building :

\$13,590

Total :

\$13,930

Current Final Value (Farm Homesite) :

Year :

2017

Land :

\$2,000

Building :

\$45,090

Total :

\$47,090

**Deed Book/Page**

Book / Page List and Misc Legal Description Info :

Book :	Page :
218xxx	48

**No Sale Details found. (Please log in to view this data.)**