

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

1. File Number: 39636	2. Status Change Date: <i>11/1/2018</i>	3. Change Num: C1	4. Field Office: 04	5. GMD: 03
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: 10/30/18
8a. Applicant(s) Landowner New to system <input checked="" type="checkbox"/> NUTRIENT AG SOLUTIONS AKA CROP PRODUCTION SERVICES 122 W LAUREL GARDEN CITY KS 67846		8c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____		
8b. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____		8d. WUC New to system <input type="checkbox"/> Person ID _____ Add Seq# _____		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/19 <input checked="" type="checkbox"/> N & P Date to Comply: 12/31/20				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input checked="" type="checkbox"/> Water Tube <input checked="" type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: _____ To: _____				
Date Prepared: 11/1/18 By: MAM Date Entered: _____ By: _____				

File No. **39636** 11. County: **HS** Basin: **CIMARRON RIVER** Stream: Formation Code: **211/331** Special Use:

12. Points of Diversion											Rate and Quantity					
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Authorized		Additional		Overlap PD Files
ENT												Rate gpm	Quantity mgy	Rate gpm	Quantity mgy	
ENT				LOT 4 (SWSW)	31	29	32	W	329'	4759'		94	1.34	94	1.34	NONE
DEL	48961			LOT 4 (SWSW)	31	29	32	W	518'	4644'		94	1.34	94	1.34	NONE

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files	
CHK	MOD	DEL	ENT	PUSE	S	T	R	ID		NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼					
NC																													SEE 8a	

Base Acres: Year: Minimum Reasonable Quantity:

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

November 1, 2018

NUTRIENT AG SOLUTIONS
AKA CROP PRODUCTION SERVICES
122 W LAUREL
GARDEN CITY KS 67846

RE: Approval of Application to Change the Point of Diversion
Water Right, File No. 39636

Dear Sir:

Enclosed is an order executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number and meet current specifications. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

Since this order modifies the original documents referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate. Please also submit a copy of the current ownership deed to have our records changed.

The abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

Should you have any questions, please feel free to call this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

Michael A. Meyer
Water Commissioner

MAM:
enclosures

pc:
Groundwater Management District No. 3

CERTIFICATE OF SERVICE

On this 1st day of November, 2018, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 39636, dated 1st day of November, 2018 was mailed postage prepaid, first class, US mail to the following:

NUTRIENT AG SOLUTIONS
AKA CROP PRODUCTION SERVICES
122 W LAUREL
GARDEN CITY KS 67846

With photocopies to:

GROUNDWATER MANAGEMENT DISTRICT NO. 3



Division of Water Resources Staff

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

Call for address:

Topeka -- (785) 296-5733
 Stafford -- (620) 234-5311
 Stockton -- (785) 425-6787
 Garden City -- (620) 276-2901
<http://agriculture.ks.gov/dwr>

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



STATE OF KANSAS

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

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

RECEIVED
 10:00 A.M.
OCT 30 2018

File No. 39636

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

Place of Use Point of Diversion

Garden City Field Office
 Division of Water Resources

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

The source of supply is: Groundwater Surface water

2. Name and address of Applicant: Mike Simpson 122 W. Laurel Garden City KS 67846

Phone Number: (806) 268-0944 Email address: _____

Name and address of Water Use Correspondent: _____

Phone Number: (806) 268-0944 Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: NUTRIENT AG SOLUTIONS AKA CROP PRODUCTION SERVICES

ADDRESS: 122 W. LAUREL, GARDEN CITY, KS 67846

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

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES		
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼			

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

Owner of Land ---- NAME: _____

ADDRESS: _____

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

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				

For Office Use Only: Code _____ Fee \$ 100.00 TR # _____ Receipt Date 10-30-18 Check # 5497

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Lot 4 (SWSW) Quarter
 of Section _____ 31 _____, Township _____ 29 _____ South, Range _____ 32 _____ W,
 in Hs _____ County, Kansas, _____ 518 _____ feet North _____ 4644 _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 05 GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the _____ Quarter of the _____ Quarter of the _____ Lot 4 (SWSW) Quarter
 of Section _____ 31 _____, Township _____ 29 _____ South, Range _____ 32 _____ W,
 in HS _____ County, Kansas, _____ 329 _____ feet North _____ 4759 _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

189'5" x 115' West-old well

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

7. The changes herein are desired for the following reasons?
 (please be specific) NEED OF ADDITIONAL
CAPACITY FOR BUISNESS

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

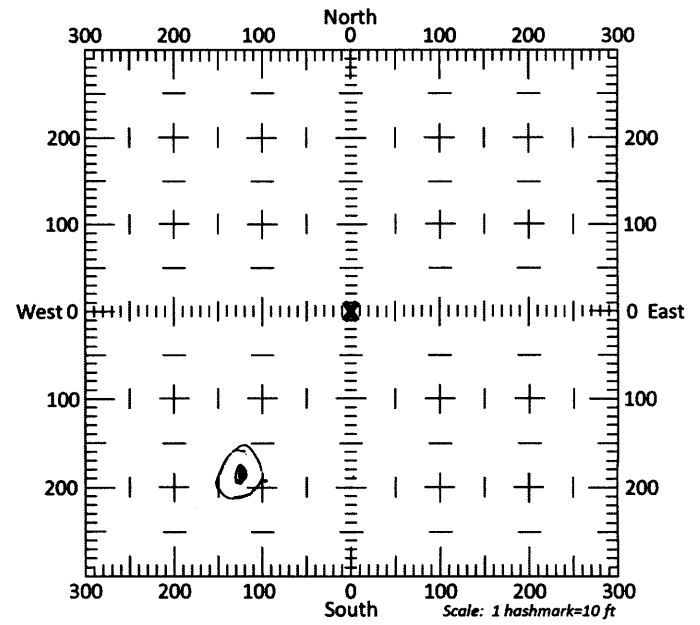
9. The change(s) (was)(will be) completed by?
ASAP

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

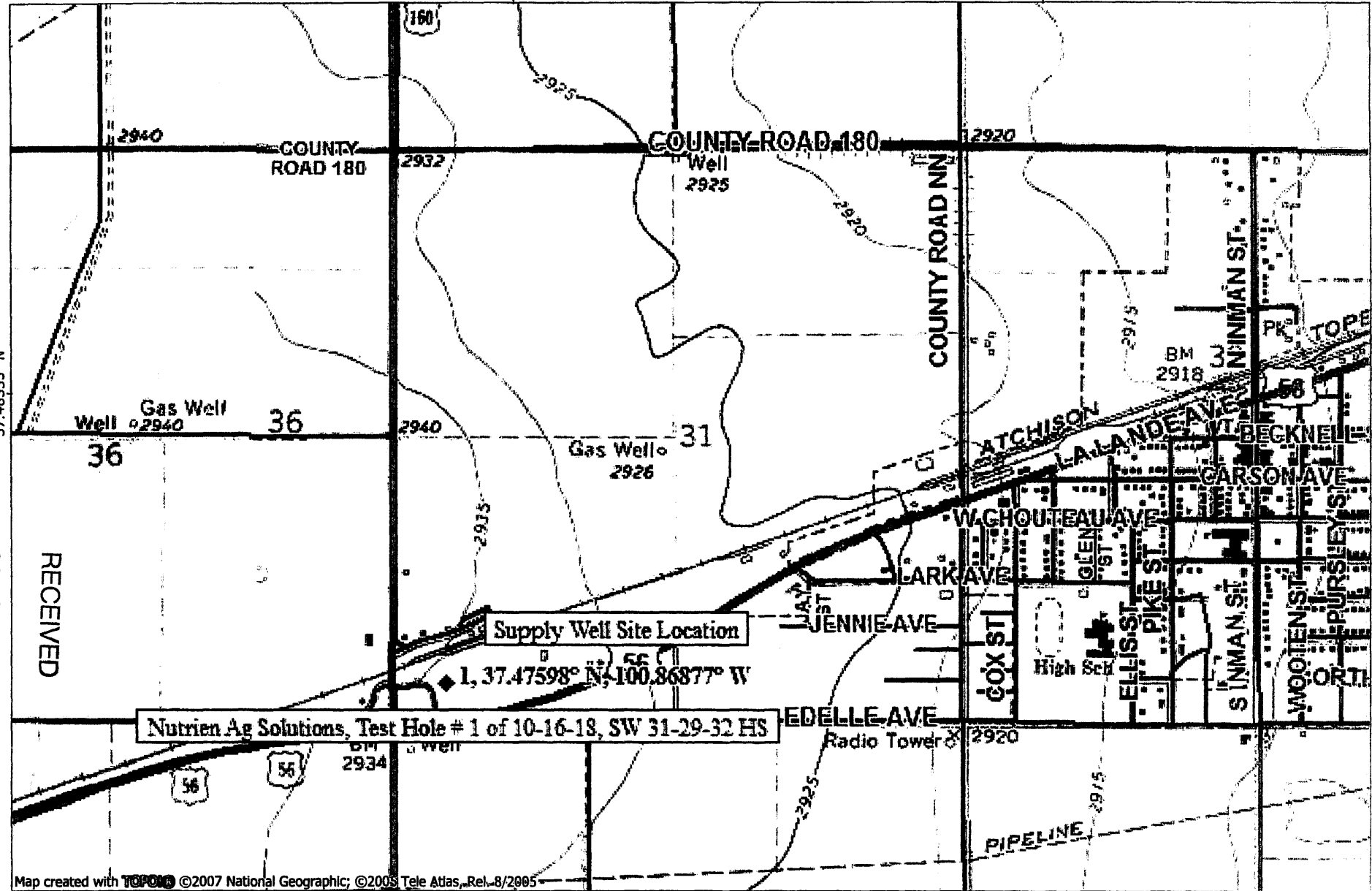
11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by MM/GCFO

13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines



13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)



37.48333° N

37.48333° N

NATIONAL GEOGRAPHIC

RECEIVED

OCT 18 2018

0.0 0.1 0.2 0.3 0.4 0.5 miles

0.0 0.5 km

TN MN
5 1/2°

10/18/18

Garden City Field Office
Division of Water Resources

Garden City Field Office
Division of Water Resources

OCT 30 2018


RECEIVED

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
 - (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?
 Yes No (If yes, all owners must sign this application.)
 - (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

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

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards 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.

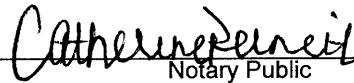
Dated at GARDEN CITY, Kansas, this 30th day of OCTOBER, 2018.

 _____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)

State of Kansas }
 County of FINNEY } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 30th day of OCTOBER, 2018





 Notary Public

My Commission Expires 9-14-22

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

RECEIVED

OCT 30 2018

RECORDED IN MY OFFICE THE 26
DAY OF Oct 2016
Jamela Carrin
HASKELL COUNTY CLERK



State of Kansas, Haskell County
This instrument was filed for
Record on October 26, 2016 10:06:00 AM
Recorded in Book 230 Page 131-133
Fee: \$37.00 201600880



Candy Huffine
Candy Huffine, Register of Deeds

(Space Above Reserved For Register of Deeds Certification)

MAIL TAX STATEMENTS TO:

Crop Production Services, Inc.
Attn: Property Tax Department
3005 Rocky Mountain Ave.
Loveland, CO 80538

UPON RECORDING RETURN TO:

Scanlan Law Firm, LLC
14645 S. Halsey Street, Suite 100
Olathe, KS 66062

KANSAS SPECIAL WARRANTY DEED

THIS INDENTURE is made as of October 26 2016, by and between ARCHER-DANIELS-MIDLAND COMPANY, a Delaware corporation, successor by merger to COLLINGWOOD GRAIN, INC. ("Grantor"), and CROP PRODUCTION SERVICES, INC., a Delaware corporation ("Grantee"), with an address of 3005 Rocky Mountain Avenue, Loveland, CO 80538.

WITNESSETH, that Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, to Grantor paid by Grantee (the receipt of which is hereby acknowledged) does by these presents CONVEY AND GRANT, unto Grantee and its successors and assigns, the following described lots, tracts or parcels of land, lying, being and situate in the County of Haskell and State of Kansas (the "Property"), to wit:

See Exhibit A attached hereto and incorporated herein by reference.

SUBJECT TO: (a) rights-of-way, easements, restrictions, declarations, reservations, agreements, instruments and other matters of record; (b) taxes and assessments, general and special, not now due and payable; and (c) rights of the public in and to the parts thereof, if any, in highways, streets, roads or alleys.

Grantor, for Grantor and Grantor's successors and assigns, covenants that Grantor is lawfully seized of Grantor's interest in the Property and has good right to convey its interest in the Property and guarantees quiet possession of the Property against the claims of those claiming any right, interest or title through Grantor, except as provided herein, and further covenants that the Property is free from all encumbrances created by Grantor, except as provided herein, and Grantor will warrant and defend the Property against all lawful claims of those claiming any right, interest or title through Grantor, except as provided herein; but Grantor does not warrant

DB04/0810731.0039/12814369.2

RECEIVED

OCT 30 2018

Garden City Field Office
Division of Water Resources

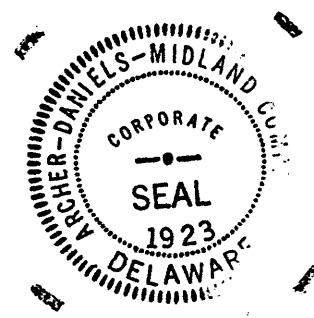
title against those claiming a right, interest or title that arose prior to, or separate from, Grantor's interest in the Property.

GRANTEE IS REQUIRED TO COMPLY WITH THE TERMS OF THE ENVIRONMENTAL USE CONTROL AGREEMENT DATED AS OF JULY 31, 2014, BY AND BETWEEN GRANTOR AND KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT, RECORDED ON AUGUST 18, 2014, IN BOOK 221 PAGE 1-9, IN THE OFFICE OF THE REGISTER OF DEEDS, HASKELL COUNTY, KANSAS.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed as of the day and year first above written.

GRANTOR:

ARCHER-DANIELS-MIDLAND COMPANY,
a Delaware corporation, successor by merger to
Collingwood Grain, Inc.



By: [Signature]

Printed Name: Stuart E. Funderburg

Printed Title: Chief Corporate Securities Counsel and Assistant Secretary

STATE OF ILLINOIS)
) ss.
COUNTY OF MACON)

This instrument was acknowledged before me on October 21, 2016, by Stuart E. Funderburg, Chief Corporate Securities Counsel and Assistant Secretary of Archer-Daniels-Midland Company, a Delaware corporation.

[SEAL]

[Signature]
Print Name: L. GRIFFIN
Notary Public in and for said
County and State



RECEIVED

OCT 30 2018

Garden-City Field Office
Division of Water Resources

Exhibit A

A tract of land in the Southwest Quarter of Section 31, Township 29 South, Range 32 West of the 6th P.M., Haskell County, Kansas more particularly described as follows: Commencing at the Southwest corner of said Southwest Quarter of Section 31 thence S89°10'09"E a distance of 520.18 feet <record 520'> along the South line of said Southwest Quarter of Section 31; thence N00°48'32"E a distance of 86.87 feet <record 86.7'> to the North line of U.S. Highway 56 and a Point of Beginning; thence N00°48'31"E a distance of 533.49 feet to the South line of the Cimarron Valley Railroad <formerly Atchinson, Topeka and Santa Fe Railroad>; thence along said South line of railroad N71°28'58"E a distance of 843.38 feet; thence S00°37'17"W a distance of 28.82 feet; thence S71°35'10"W a distance of 553.32 feet; thence S18°25'49"E a distance of 25.33 feet; thence S71°34'11"W a distance of 39.11 feet; thence S01°21'03"W a distance of 522.80 feet to said North line of U.S. Highway 56; thence along said North line of U.S. Highway 56 on a non-tangent curve to the Southwest with radius of 5639.25 feet a length of 174.63 feet and a chord of S80°40'07"W a distance of 174.62 feet; thence S81°23'49"W a distance of 68.99 feet <record 68.9'> to the Point of Beginning.

RECEIVED

OCT 30 2018

Garden City Field Office
Division of Water Resources