

NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

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.

12/11/2020

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File No. 24355

RECEIVED
 11:48 AM
 AUG 05 2020

Garden City Field Office
 DIVISION OF WATER RESOURCES

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):
KS Dept Of Agriculture Place of Use Point of Diversion

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

The source of supply is: Groundwater Surface water

2. Name and address of Applicant: KIM & MICHELE BATMAN

PO BOX 669, MEADE, KS 67864-0669

Phone Number: () _____ Email address: batkim1@gmail.com

Name and address of Water Use Correspondent: Same

Phone Number: () _____ Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: Same

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		
24	31	28 W	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	120
																				140.20

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: Same (supplemental sheet attached)

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					
23	31	28 W	0	0	0	0	0	0	0	0	0	0	0	4	0	0	4	23	35	35	23	124	
25	31	28 W	0	0	0	0	31	31	31	31	28.5	31.5	31.5	28.5	0	29	29	0					302
26	31	28 W	30.5	30.5	30.5	30.5	16	0	0	40	10	0	0	0	31	31	31	31					312

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 8-5-20 Check # 5569

12/28/2020
 LMoody

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KS Dept Of Agriculture

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET

FILE NO. 24355

MAKE ADDITIONAL COPIES AS NECESSARY

3. Continued: The presently authorized place of use is:

Owner of Land ---- NAME: HILDEBRAND FAMILY PARTNERSHIP LLLP (VERNA LEE HIDEBRAND)

ADDRESS: 1077 RACE ST #904 DENVER CO 80206

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					
24	31	28W									7.7				5.5				40	40	40	40	173.2

Owner of Land ---- NAME: _____

ADDRESS: _____

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					

Owner of Land ---- NAME: _____

ADDRESS: _____

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. Continued: 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: KIM & MICHELE BATMAN

ADDRESS: PO BOX 669 MEADE KS 67864-0669

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					
24	31	28W									30.5	30.5	30.5	30.5									122

Owner of Land ---- NAME: _____

ADDRESS: _____

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					

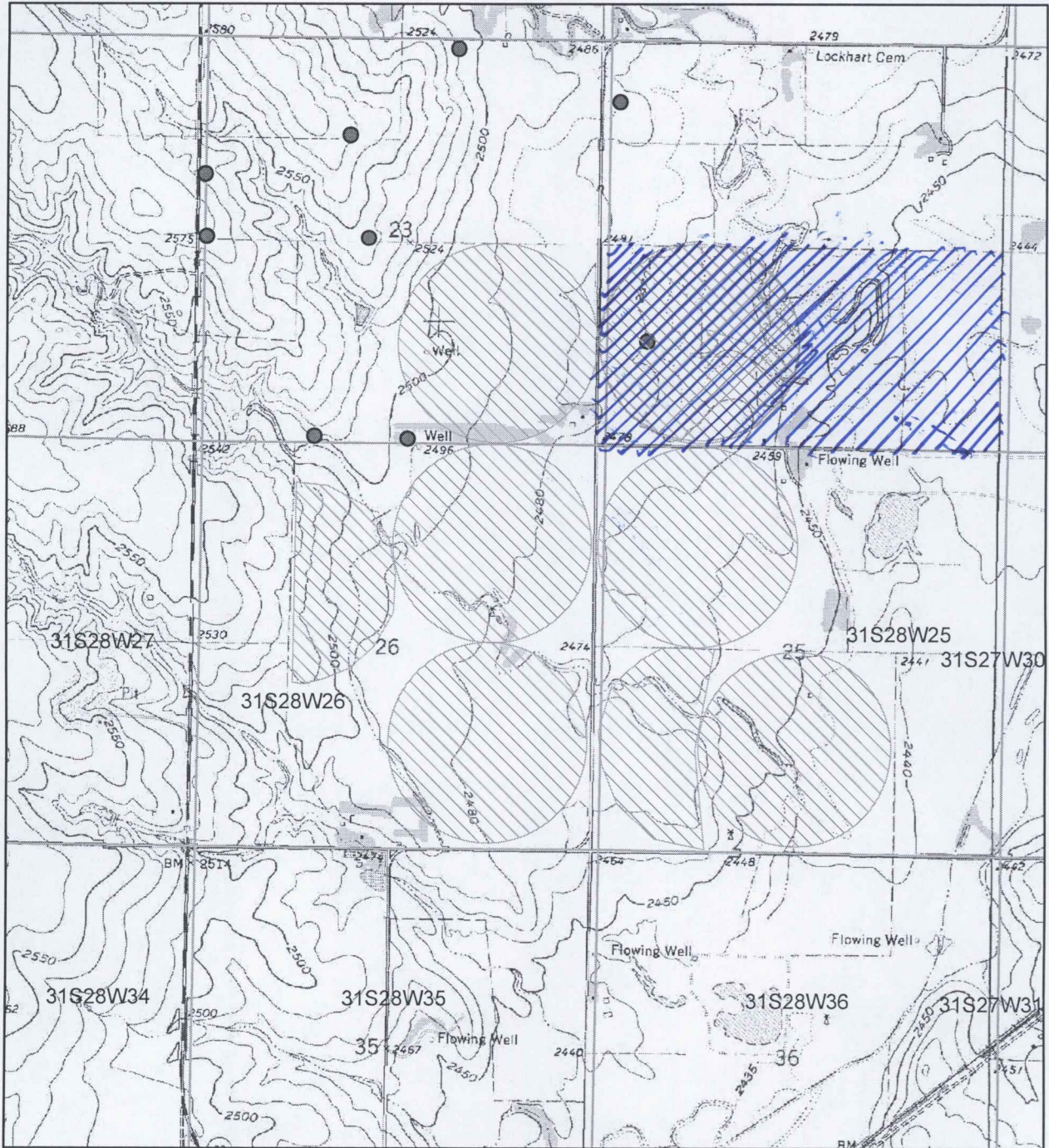
Owner of Land ---- NAME: _____



ADDRESS: _____

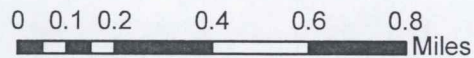
Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES				
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼					

Change in place of use for water right 24355

KS Dept Of Agriculture



-  Authorized place of use
-  Proposed place of use



All wells within 1/2 mile are on this map.

x Kim Betura
 Michele Balman

5. **Presently authorized point of diversion:**
 One in the SW Quarter of the NW Quarter of the SW Quarter of Section 24, Township 31 South, Range 28 (W), in ME County, Kansas, 1400 feet North 4700 feet West of Southeast corner of section.
 Authorized Rate No change Authorized Quantity No change Depth of well _____ (feet)
(DWR use only: Computer ID No. 2 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 24355

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 _____

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7. The changes herein are desired for the following reasons?
 (please be specific) _____

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

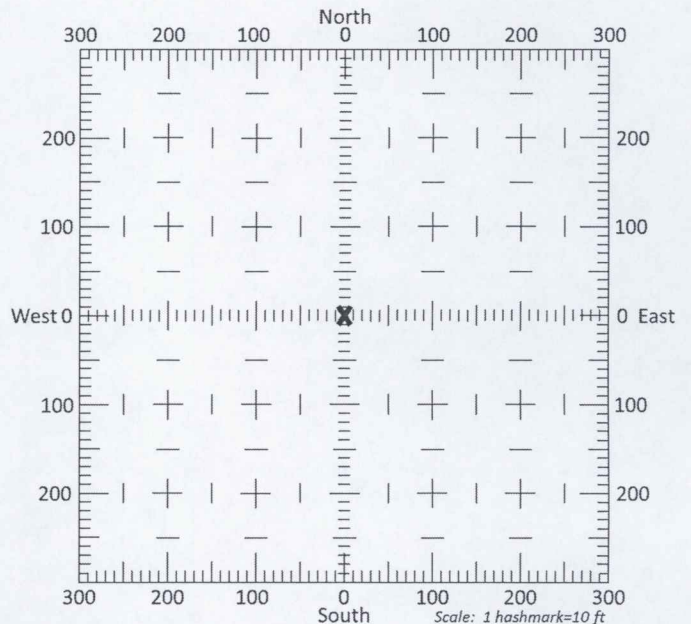
9. The change(s) (was)(will be) completed by?

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

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by mf/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.)**

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 meade, Kansas, this 5th day of August, 2020.

Kim Batman
(Owner)

Michele Batman
(Spouse)

Kim BATMAN
(Please Print)

Michele Batman
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

12/11/2020

(Spouse)

Water Resources Received

(Please Print)

(Please Print)

State of Kansas

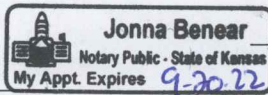
County of meade

SS

KS Dept Of Agriculture

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 5th day of August, 2020.

My Commission Expires 9.20.22



Jonna Benear
Notary Public

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

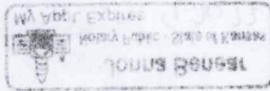
Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

- (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

12/11/2020

Water Resources
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[Handwritten signature]

[Handwritten signatures and text, including 'Kim Bowman' and 'D...']

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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. 5-5-1, *et seq.* and other applicable provisions of the *Kansas Water Appropriation Law*, K.S.A. 82a-701 *et seq.*, and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 24355

1. A change application was received on August 5, 2020 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a _____ foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. Applicable Not Applicable
5. 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
6. 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
7. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2020**, 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
8. **Installation of the works for diversion of water shall be completed on or before December 31, 20____**, or within any authorized extension of time. By March 1, 20____ the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e.
 Applicable Not Applicable
9. **The completed well log shall be submitted with the required notice.** Applicable Not Applicable
10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable
11. Additional Conditions are attached. Yes No
12. 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

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

For Use by Register of Deeds

12/11/2020

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FOR OFFICE USE ONLY
**APPLICATION APPROVED AND
SUMMARY ORDER ISSUED**

By: _____
Duly Authorized Designee of the Chief Engineer

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

Date of Issuance: _____

State of Kansas)
) SS

County of _____)

Acknowledged before me on _____

by _____

Signature: _____
Notary Public

My commission expires: _____
(Notary Seal)

12/11/2020

Water Resources
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KS Dept Of Agriculture

DATE: _____, 2020
Month Day

Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

RE: Water Right, File No. 21,411 & 24,355

Dear Sir or Madam;

We are submitting this statement regarding the Applications for Approval to Change the Place of Use, received in your office on August 5, 2020, under Water Right, File Nos. 21,411 & 24,355. We now wish to voluntarily withdraw the filed applications. We realize such withdrawal means the applications will be dismissed and whatever priority they may have had will be forfeited. Please withdraw the Applications for Approval to Change the Place of Use, received in your office on August 5, 2020, under Water Right, File Nos. 21,411 & 24,355.

Sincerely,

Kim Batman
(Applicant Signature)

Kim BATMAN
(Printed Signature)

Michele Batman
(Applicant Signature)

Michele Batman
(Printed Signature)

ATTN: Mike Meyer, Water Commissioner, Garden City Field Office, KDA-DWR.

RECEIVED

DEC 03 2020

Garden City Field Office
DIVISION OF WATER RESOURCES

12/11/2020

Water Resources
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KS Dept Of Agriculture

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: December 9, 2020

FROM: Michael A. Meyer 

RE: Water Right,
File Nos. 264, 18379,
21411, 24355

Field office change applications of the above referenced files are being sent to headquarters for further processing. The original applications were received to make a complete overlap between all files that met base acres review. (adding new land but meets K.A.R. 5-5-11) One owner, Hildebrand did not sign. After much process, the Batman's decided to dismiss File Nos. 21411 and 24355 that involved the Hildebrand ground due to lack of agreements and signatures and modified the original remaining applications to make a complete overlap and meet base acres. These applications need processed due to the dismissal applications requests and further processing

For the record, Base acres are:

File No. 264 = 730 acres and 268 perfected acres

File No. 18379 = 730 base acres (same as File No. 264) with no additional base and 399 additional perfected acres

File No. 21411 = 120 base acres and 120 perfected acres

File No. 24355 = 130 total base acres (120 pivot area (same as File No. 21411) and 20 flood acres). Total combined base acres for File No. 21411 and 24355 are a total of 130 acres firm. Perfected acres for File No. 24355 are only 40 acres max. (also see attached aerial photo)

12/11/2020

Water Resources
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31S28W7 KS Dept Of Agriculture

31S28W24

31S27W19

Meade

31S28W25

31S27W30

perfected + base
acres combined
160 acres as
reported

Meyer, Mike [KDA]

From: Meyer, Mike [KDA]
Sent: Thursday, September 17, 2020 1:28 PM
To: 'scott ross (water.rights.llc@gmail.com)'
Subject: 24355

pretty complicated acres, bad certificates on documentation as you would know from the olden days
perfected acres under File No. 24355 are 40 acres
base acres under 24355 are 160 acres (total combined with File No., 21411 (which are only 120 base acres)

total combined base acres and perfected are a total of 160 acres as reported and reviewed. (little more than 2.0 AF per acre).

Mike



Have you completed your 2020 Census?
It's not too late! Take action now!
my2020census.gov

12/11/2020

Water Resources
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