## Kansas Department of Agriculture Division of Water Resources

### **CHANGE: P/U WORKSHEET**

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
15036		C3	4	3
6. Status: ⊠ Approved □ Den	ied by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change: 1/10/2022
8a. Applicant(s) New to system   BATAVIA FARMS LLC 5 RANDOM RD ENGLEWOOD, CO 80113	Person IDAdd Seq#	8c. Landown		Person IDAdd Seq#
8b. Landowner(s) New to system □	Person ID Add Seq#	New to sy		Person ID Add Seq#
8a		Attn: J. 695 RD	AWK FARMS ARVIS GARETS XX AND, KS 67837	ON
9. Documents and Enclosure(s): 🛛 D	WR Meter(s) Date to Comp	ly: <b>12/31/2022</b>	N & P Date to	Comply: 3/1/2023
☐ Anti-Reverse Meter ☐ Meter	Seal	⊠ N & P Form		Oriller Copy
☐ Conservation Plan	red: Da	ite Approved:	Date to	o Comply:
10. Use Made of Water From:		To: _		
			Date Prepared: <b>4/14/</b> Date Entered:	<b>2022</b> ву: <b>АМ</b> Ву:

File No.	15036	6	11. County	/: HS	Ва	sin: AR	RKANS	SASF	RIVER			S	tream:	:							rmation C 1/331	code:	Special Use:	
12. Po	ints of Dive	ersion														Rate	and Q	uantity						
MOD	DDIV/															P	Authori	zed		A	dditional			
DEL	PDIV	Qualifier	S	Т	R	ID	'!	N	ʻW		Com	ment	(AKA	Line)		Rate gpm		Quantii af	ty	Rate gpm		antity af	Overlap PD Files	
СНК	86021	SW NW NW	36	27S	32W	5	43	333	507	5						940	)	197		0	1	97	5255; 44047	
СНК		SE NW NE	36	27S	32W		42	263	156	4						1470	0	679		1470	) 6	69	NONE	
13. Stor	rage: Rate	ė		NF	Qua	ntity					ac/ft	A	dditior	nal Rat	e				NF	Addi	tional Qua	antity		_ ac/ft
14. Limitation: af/yr at gpm ( cfs) when combined with file number(s) SAME - NO CHANGE																								
14. Limi	itation:		af/yr	at			g	gpm (_			(	cfs) wl	hen co	ombine	d with	file n	umber	(s) <b>SA</b>	ME -	- NO C	HANGI	E		
Lim	itation:		af/yr	at			9	gpm (_				cfs) w	hen co	ombine	d with	file n	umber	(s) <b>SA</b>	ME -	- NO C	HANGI	E		
15. 5YF	itation:		af/yr	at	tart Yea		9	gpm (_		nt		cfs) w	hen co	ombine	d with	file n	umber Acres	(s) <b>SA</b>	ME -	- NO C	HANGI	E	Overlap Files	
15. 5YF 16. Pla CHK MOD DEL	R Allocation	n: Allocation	af/yr	at	tart Yea	r	9	gpm (_	Amou	nt		cfs) w	hen co	ombine	d with	file n	umber Acres	(s) <u>SA</u>	ME -	omment	HANGI	E		
15. 5YF  16. Pla CHK MOD DEL ENT	R Allocation ce of Use		af/yr Type	atS	tart Yea	r ≣½	g	5 YR	Amou NV	nt	SE	Amo	hen co	nit	ed with	Base	Acres S	SE1/4	ME -	omment	HANGI	E		
15. 5YF  16. Pla CHK MOD DEL ENT  CHK 3	R Allocation ce of Use PUSE 34426	n: Allocation	af/yr Type ID W 1	at S	tart Yea	=1/4 SW 1/4	SE 1/4	5 YR	NW 1/4	nt	SE 1/4	Amo	SV  NW  1/4  40  L-3	mit	SE 1/4	Base	Acres S NW 1/4	SE1/4 SW 1/4	ME -	omment _	Owner 8a	Chg?	Overlap Files	
15. 5YF  16. Pla CHK MOD DEL ENT  CHK 3	R Allocation ce of Use PUSE 34426	s T R	af/yr Type ID W 1	at S	tart Yea	=1/4 SW 1/4	SE 1/4	5 YR	NW 1/4	nt	SE 1/4	Amo	SV  NW  1/4  40  L-3	nit	SE 1/4	Base	Acres S NW 1/4	SE1/4 SW 1/4	ME -	Total	Owner 8a	Chg?	Overlap Files  MULTIPLE	
15. 5YF  16. Pla CHK MOD DEL ENT  CHK 3	R Allocation ce of Use PUSE 34426	s T R	af/yr Type ID W 1	at S	tart Yea	=1/4 SW 1/4	SE 1/4	5 YR	NW 1/4	nt	SE 1/4	Amo	SV  NW  1/4  40  L-3	nit	SE 1/4	Base	Acres S NW 1/4	SE1/4 SW 1/4	ME -	Total	Owner 8a	Chg?	Overlap Files  MULTIPLE	
15. 5YF  16. Pla CHK MOD DEL ENT  CHK 3	R Allocation ce of Use PUSE 34426	s T R	af/yr Type ID W 1	at S	tart Yea	=1/4 SW 1/4	SE 1/4	5 YR	NW 1/4	nt	SE 1/4	Amo	SV  NW  1/4  40  L-3	nit	SE 1/4	Base	Acres S NW 1/4	SE1/4 SW 1/4	ME -	Total	Owner 8a	Chg?	Overlap Files  MULTIPLE	

Comments: CREATING A COMPLETE OVERLAP IN PU W/ FILE #: 5255; 10212-DA; 15036; 44047 & 44049. C3 WS COMPLETED BEFORE C4 WS HAD TIME TO DATA ENTRY. PLEASE COMPLETE C4 CHANGE INFO ON PD ON THIS WS. THANKS.

Garden City Field Office 4532 W. Jones, Suite B Garden City, KS 67846



Phone: 620-276-2901 Fax: 620-276-9315 www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

April 14, 2022

BATAVIA FARMS LLC 5 RANDOM RD ENGLEWOOD, CO 80113

RE:

Filed Office Application for Change

Water Right, File Nos. 5255; 10212-DA; 15036; 44047 & 44049

Dear Sir or Madam:

Enclosed is the 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 numbers.

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/or installation of the required meter as soon as these actions are completed.

Since the order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

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

Sincerely,

Austin J. McColloch

Assistant Water Commissioner

AM:

pc:

enclosures

Wildhawk Farms – Jarvis Garetson

GROUNDWATER MANAGEMENT DISTRICT NO. 3

### CERTIFICATE OF SERVICE

On this 14<sup>th</sup> day of April, 2022, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 5,255; 10,212-DA; 15,036; 44,047 and 44,049 dated 14<sup>th</sup> day of April, 2022 was mailed postage prepaid, first class, US mail to the following:

BATAVIA FARMS LLC 5 RANDOM RD ENGLEWOOD, CO 80113

Pc:

WILDHAWK FARMS Attn: JARVIS GARETSON 695 RD XX COPELAND, KS 67837

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

RECEIVED

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.

											No. of the Control	CONTRACTOR OF							
						· F	File No	. <u>1503</u>	6										<b>1 0</b> 2022
. А	pplication	on is he	ereby n	nade f	or appi				nginee		-	7.52		ne or b	oth):			rden (	:39 em City Field Office Water Resource
							lace o					of Dive						011 01	Water Resource
	nder the				s the s	ubject	of this	applic	ation ii	n acco	rdance	e with t	the cor	ndition	s desc	ribed I	below.		
Т	he sour	ce of su	upply is	s:		⊠ G	round	water			Surfac	ce wat	er						
	ame an						AWK F	ARMS	Attn:	JARVI	S GAF	RETSC	N					1	
P	hone N	umber:	(	)					Email	addres	ss:								
Ν	ame an	d addre	ess of	Water	Use C	orresp	onden				-								
P	hone N	umber:	(	)					Email	addres	ss:								
. Т	he pres	ently a	uthoriz	ed pla	ce of u	se is:													
0	wner of	Land -	NA	AME:	BATA	/IA FA	RMS	LC											
		,	ADDRI	ESS:	5 RAN	DOM	RD EN	IGLEW	/OOD	CO 80	0113								
(11	there is	more th	an one	landov	vner, at	tach su	ppleme	ntal sh	eets as	neces	sary.)								
				NE	=1/4			NV	V1/4			SV	V1/4			SI	Ξ1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
36	27	32	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	39	639
0	this app wner of there is	Land -	NA ADDRI	AME: ESS:	BATA\ 5 RAN	/IA FA	RMS I	LC IGLEW	/OOD	CO 80	)113	ace of	use be	e chan	ged to				
				NE	Ξ1/4			NV	V1/4		SW1/4 5					SE	Ξ1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
36	27	32	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	39	639
31	27	31									40	35.97	35.74	40					151.71
													20.12						136.09
F	or Offic	e Use	Only:	Code		Fe	e \$ 7	00.	TR:	#		Re	ceipt	Date	-10	-22	Chec	k# \	101
-																			

5.	Presently authorized				
		Quarter of the			
		, Township			
	in	County, Kansas,	feet North _	feet West of S	outheast corner of section.
	Authorized Rate	Authorized Quantity	/	Depth of well	(feet)
	(DWR use only: Com	puter ID No G	PS	feet North	feet West)
		hanged This point will be chan			
		ersion: (Complete only if char			
		Quarter of the			
	of Section	, Township		South, Range	(E/W),
		County, Kansas,	feet North _	feet West of S	outheast corner of section.
		Proposed Quantity			
	This point is:  Additi	onal Well 🔲 Geo Center List	other water righ	nts that will use this point _	·
6. F	Presently authorized	point of diversion:			
	One in the	Quarter of the		Quarter of the	Quarter
	of Section	, Township		South, Range	(E/W),
		County, Kansas,			
		Authorized Quantity			
	(DWR use only: Com	puter ID No G	PS	feet North	feet West)
	This point will not be o	hanged This point will be chan	ged as follows:	No change, point better de	scribed with GPS as follows:
		ersion: (Complete only if char			
		Quarter of the			
		, Township			
		County, Kansas,			
		Proposed Quantity			
	(5)	onal Well Geo Center List			
L	Thio point io		outer tracer rigi	THE CHAIL THIS GOOD IN GOOD IN	
7.	The changes herein ar	e desired for the following reason	ons?		
		molete overlap in PU	_	North	
		5:10212-DA:1503	<b>2</b> 300	200 100 0	100 200 300
	HADAL HADEN	344	- E	<u>=</u>	
8.	If a well, is the test hole	log attached?  Yes  No		-141+1=	1 + 1 - 200
	,		200	-1/4   +   =	1 + 1 + 1 = 200
9.	The change(s) (was)(wil	l be) completed by?	E	-/ =	<b>\</b> ∃
			100	/	+   +   <del> </del> 100
			1		100 100
10.	If the point of diversion is	s a well:		<u>E</u>	<u>.</u>
	(a) What are you going	to do with the old well?	West 0	#dmdmdmlmdm <b>≅</b> m	
			#		
			- 100	++++=	+   +   +   100
	(b) When will this be do	one?	_	/ <u></u>	
				=	]
11.		ent District recommendation attach	ned? 200	-141+=	1 + 1 + 1 = 200
	Yes	<b>⊠</b> No			_ /_ =
10	A CONTRACTOR		E	introducijani, iza	
12.	Assisted by		- 300	200 100 0	100 200 300
13a	.If the proposed point of a	liversion will be relocated more tha	n 300	South	Scale: 1 hashmark=10 ft
	feet but within 2,640 feet	of the existing point of diversion, a	attach 13b.If the	proposed point of diversion	n will be relocated within a 30 of diversion, indicate its location

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 a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

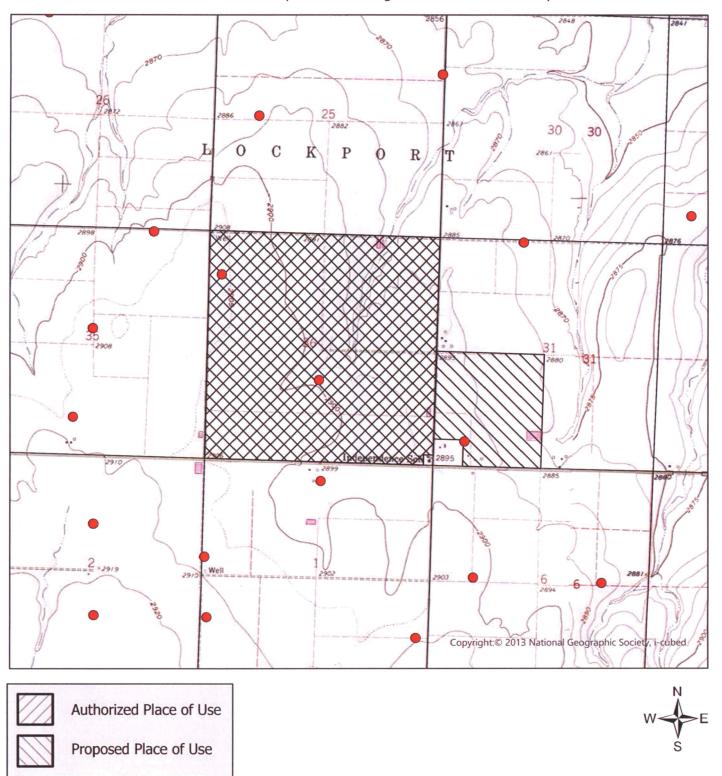
14.	f th	ne proposed groundwater point of diversion is 300 or fewer feet fro	om the existing point of diversion, complete the following:
(	(a)	Does the undersigned represent all owners of the currently authors Yes No (If no, all owners must sign this applied	
(	(b)	Will the ownership interest of any owner of the currently author 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 sub Yes No (If no, all owners must sign this applied	
or a	cha	plication proposes a surface water change in point of diversion, a inge in place of use, the application must be signed by all owners ittach notarized statement authorizing representation).	groundwater change in point of diversion greater than 300 feet, of the currently authorized place of use, or their duly authorized
age their	an b	by verify, being first duly sworn upon my oath or affirm d the owner, the spouse of the owner, or a duly author ehalf, in regards to the water right(s) to which this applied in this application are true, correct and complete.	ized agent of the owner(s) to make this application on plication pertains. I further verify that the statements
Date	d a	t Engle wood kansas, this	5 day of Jandary, 2022.
	1	Eulen Miller	molissa Holland
-	1	(Owner)	(Spouse)
	2	Tahary Holand	(Please Print)
		( Victoria in the control of the con	(* 1525)
		(Owner)	(Spouse)
		(Please Print)	(Please Print)
		(Owner)	(Spouse)
		(Please Print)	(Please Print)
State		Kansas of Deriver	
	nere	eby certify that the foregoing application was signed in r	my presence and sworn to before me this 5th day
	J		Jaura Dagins
Му С	om	mission Expires 12712033	Notaco Public
ONLY	CC	DMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all information; maps, if necessary, must be included; signatures of all the appriate fee must be paid.	
,		FEE SCHEDU	ILE
	in t	plication to change the place of use or the point of diversion under the schedule below: Make checks payable to: <b>Kansas Departmo</b> (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet	ent of Agriculture \$100
		(3) Application to change the place of use	φ200

### SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

oro Wit	visions of the Kansas Water Appropriation Law, K.S.A. 82a-7	101 et. seq., and rules and regulations promulgated thereunder, this Summary Order does not change the terms, conditions and
1.	A change application was received on	requesting that the place of use and / or point of er be changed as described in the application.
2.	On and after the effective date of this summary order, the auth the topographic map accompanying the application to chan	orized place(s) of use shall be located substantially as shown on ge the place of use. Applicable    Not Applicable
3.	The change in point of diversion shall not impair existing right previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion. ☐ Applicable	s and shall be limited to the same source or sources of water as this summary order shall be located within a foot e Not Applicable
4.	The point(s) of diversion described herein is administrativel Positioning System (GPS), as described in the application.	y corrected to be more accurately described using the Global ☐ Applicable ☒ Not Applicable
5.	The point(s) of diversion authorized herein shall not actually b authorized point(s) of diversion. ☐ Applicable ☒ No	e located more than feet from the previously t Applicable
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a we or other device suitable for making water level measuremen K.A.R. 5-6-13.   ☑ Applicable ☐ Not Applicable	ell with a diversion rate of 100 gallons per minute or more, a tube its shall be installed, operated and maintained in accordance with
7.	<b>December 31, 20</b> operated and maintained in accordance with K.A.R. 5-1-4 th	perly install an acceptable water flow meter on or before whichever occurs first. The water flow meter shall be installed, nrough 5-1-12. As required by K.S.A. 82a-732, as amended, and the reading of the water flow meter and the total quantity of water g the end of each calendar year.
8.		completed on or before December 31, 20, or within any applicant shall notify the Chief Engineer that construction of the ded by the Chief Engineer, as required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the requir	red notice.   Applicable   Not Applicable
10.	with an in-line, automatic, quick-closing check valve capab	reign substance will be injected into the water shall be equipped le of preventing pollution of the source of the water supply. The accordance with K.A.R. 5-3-5c. ☑ Applicable ☐ Not Applicable
11.	Additional Conditions are attached. ☐ Yes ☑ No	
12.	water appropriated under the above-referenced file number limitations, as amended and/or supplemented by this Summappropriation Law and the Rules and Regulations promule.	R. 5-5-14, all of the owners of the authorized place(s) of use of er are responsible for compliance with its terms, conditions and mary Order, and with applicable provisions of the <i>Kansas Water</i> gated thereunder. Failure to comply with these provisions may ended, and/or the suspension or revocation and dismissal of the authorized by law.
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
you Eng Agr filed adn day revi File Leg 665	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901, may request an evidentiary hearing before the Chief inneer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be divithin 15 days of service of this Order and a request for ninistrative review by the Secretary must be filed within 30 is pursuant to K.S.A. 77-531. Any request for administrative ew must state a basis for review pursuant to K.S.A. 77-527. If any request with Kansas Department of Agriculture, all Division, 1320 Research Park Drive, Manhattan, KS 102. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.  For Use by Register of Deeds	By: Mulh Duly Authorized Designee of the Chief Engineer  (Print Name): Australia Mulh Division of Water Resources - Kansas Department of Agriculture  Date of Issuance: Agril M. 2022  State of Kansas ) SS County of
	,	
		by Austin McCollech
		Signature:
		My commission expires:    Notary Public   JULIE JONES   My Appointment Expires   Public   Notary Security   Notary Secur

# **CHANGE IN PLACE OF USE WATER RIGHT, FILE NO. 15036**

Section 36 Township 27 South Range 32 West Haskell County



Date: 8/17/21 HH/GCFO

(Signature) Date Scale: 1:24,000