Kansas Department of Agriculture Division of Water Resources

CHANGE: P/D WORKSHEET

1. File Number: 39636	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD: 03							
6. Status: ☑ Approved ☐ Deni	ed by DWR/GMD	Dismiss by Reques	smiss by Request/Failure to Return 7. Filing Date of Chan								
8a. Applicant(s) Landowner New to system ☑ NUTRIENT AG SOLUTIO AKA CROP PRODUCTIO 122 W LAUREL GARDEN CITY KS 67846	N SERVICES	8c. Landowne New to sy		Person IDAdd Seq#							
8b. Landowner(s) New to system □	Person ID Add Seq#	8d. WUC New to sy	stem □	Person ID Add Seq#							
☐ Anti-Reverse Meter ☐ Meter											
10. Use Made of Water From:		To: _									
			Date Prepared: 11/1/1 Date Entered:	8 ву: МАМ Ву:							

File No. 39636		11. County	/: HS	Ва	sin: Cl	IMAR	RON R	IVER			s	tream:								ormation Code: 1/331	Special Use:	
12. Points of Dive CHK	rsion																uantity					
MOD DEL PDIV ENT	Qualifier	s	Т	R	ID		'N	'W		Com	ment	(AKA I	Line)		Rate		Quantit	•	Rate	•	0 1 00 5"	
															gpm) 	mgy		gpm		Overlap PD Files	
ENT 	LOT 4 (SWS	SW) 31	29	32 V	/	32	29'	475	9'						94		1.34	4	94	1.34	NONE	
DEL 48961 LOT 4 (SWSW) 31		29	32W		51	18'	4644'						94		1.34	4	94	1.34	NONE			
																-						
							-								-						-	
13 Storage: Pate			NE	Oua	ntity					ac/ft	Δ	ddition	al Rat	Δ		,		NE	Δddi	tional Quantity		ac/ft
											-											
14. Limitation:																			· · · · · · · · · · · · · · · · · · ·			
Limitation:		af/yr	at				gpm (_				cts) w	hen co	mbine	d with	file ni	umber	(s)					
15. 5YR Allocation	: Allocation	Туре	_ Sta	rt Yea	r		5 YR	Amou	nt		Amo	ount U	nit	_	Base .	Acres		_ c	omment .			
16. Place of Use CHK				NE1/4				NW¼			SW1/4				SE¼				Total	Owner Ch	g? Overlap Files	
MOD DEL ENT PUSE	STR	ID	NE	NW 1/4	SW 1/4	SE 1/4	NE 1⁄4	NW 1⁄4	SW 1/4	SE 1/4	NE ¼	NW 1/4	SW 1/4	SE 1/4	NE ¼	NW ¼	SW 1/4	SE ¼				
NC	<u> </u>																			SEE 8a		
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Base Acres:	Year:	I	Minimun	n Reas	onable	e Qua	ntity:															
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,
Mushul Holly

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.

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010	ilversion a	na/or p	iace o	use.													i		EIVED
							∵ia Na	2062				<u> </u>						-	20A.m
						r	File No	. <u>3903</u>	00								(OCT :	3 0 2018
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	under the	water	right v	vhich is	s the s	ubject	of this	applic	ation i	n acco	rdance	e with	the cor	ndition	s desc	ribed l	below.		•
	The sour	ce of s	upply i	s:		⊠ G	round	water			Surfac	ce wat	er						
2.	Name an	d addre	ess of	Applic	ant: <u>M</u>	like Sir	mpson			122	μ.	Lai	ive /		Cord	a ci	4 1	25	67846
	Phone No					,													
3.	Phone No The preso	رم براؤم	,thoria	ما مام	oo of	ioo ioi				addre		eop F	Roon	70 N	, SE,	RVIÒ	22		
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Se	ec. Twp.	Range	NE1/4	NW¼	SW1/4	SE1/4	NE1⁄4	NW¼	sw/4	SE1/4	NE1/4	NW¼	SW1/4	SE¼	NE¼	NW1/4	SW1/4	SE1/4	ACRES
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4.	If this app Owner of	Land -		AME:				, it is p	ropose	ed that	the pl	ace of	use be	e chan	ged to				
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	For Office	e Use	Only:	Code		Fe	e \$ <u>\(</u>	0.00	<u>)</u> TR	#		Re	eceipt	Date _	10-3	0-18	Chec	:k#	5497

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	of Section	31	 Townshi	a	29	 So	uth, Range	3	2	w,
	in Hs	Cou	ıntv. Kansas.	518	feet North	4644	feet West	of Southeas	t corner of	f section.
	Authorized Rate		Authorized	Quantity		Dep	th of well		(feet)	
-	(DWR use only: Co	mputer ID	 No. 05	GPS	}	feet	 North	1	eet West)	
	☐This point will not b	e changed	⊠This point will	be changed	as follows: [☑ No chai	nge, point bett	er described	with GPS a	s follows:
- 1	Proposed point of									
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-	of Section									
	in HS									
	Proposed Rate		•							
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_							1 well			
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	in									
	Proposed Rate			•						
L	This point is: Add	litional vveil	☐ Geo Cen	er List oti	ner water rigi	nts that w	ill use this po	oint		
7	The change bearing		for the following		•					
7.	The changes herein (please be specific) N				•					
	CAPACITY FOR BUIL				300	200	100	orth 0 100	200	300
						munin	سسيليسس	<u> </u>	հավայհ	"3
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8.	If a well, is the test ho	ie iog attach	ied? 🔼 Yes	☐ IAO	200	-1+	1+1.	트 十	1+1	- ⊒200
9.	The change(s) (was)(will be) com	pleted by?		E			Ξ _		3
			,		,,,,E	1 1	1 1 1	Ξ , ,		100
	ASAP				100	- 1 -	1 + 1	<u> </u>	' T '	<u></u>
10.	If the point of diversion	n is a well:					_	- -		1
	(a) What are you go	na to do witl	n the old well?		West 0	 .	որուվայիո	😨 m [mm] m	վոս ուլի	++∰ 0 East
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	CAP							를 - 를 I +	. 1 .	3.00
	(b) When will this be	done?			100	- 1 +	1 + 1	= ' +	1 + 1	100
					E			<u>-</u>		=
11.	Groundwater Manage	ment Distric	t recommendation	on attached	? 200	-1 +		= 1 +	I + I	_∃200
		⊠ No				_		= '		=
							<u></u>	<u> </u>		
12.	Assisted by MM/GCF	0	Manager Control		300		100	0 100	200	300
122	.If the proposed point o	of diversion v	vill be relocated i	more than 3	00		Se	outh Scale	e: 1 hashmark=1	10 ft
ı Ja	feet but within 2,640 f	eet of the exi	sting point of div	ersion, atta	ch 13b.lfthe	proposed	d point of dive	rsion will be r	elocated w	ithin 300 feet
	a topographic map	or aerial ph	otograph. For	groundwa	ter of th	e existing	point of div	ersion, indic	ate its loc	ation on the
	sources, show all well of the proposed poin	is (including t of diversion	n and the name	s and maili	ıne diagi İng diver	anı snov sion. (Pl	vn above in LEASE NOT	relation to E: The "X"	in center	ing point of of diagram
	addresses of the own	ers. For sur	rface water sour	ces, show t	the abov	e repre	sents the	presently	authorized	d point of
	names and address downstream and on	ses of the a-half mile i	landowner(s)	one-halt m vour prope	nie dive ertv	rsion.)				
	lines	. Han IIIIG (apottodin nom	Joan prope	• • • •					

5. Presently authorized point of diversion:

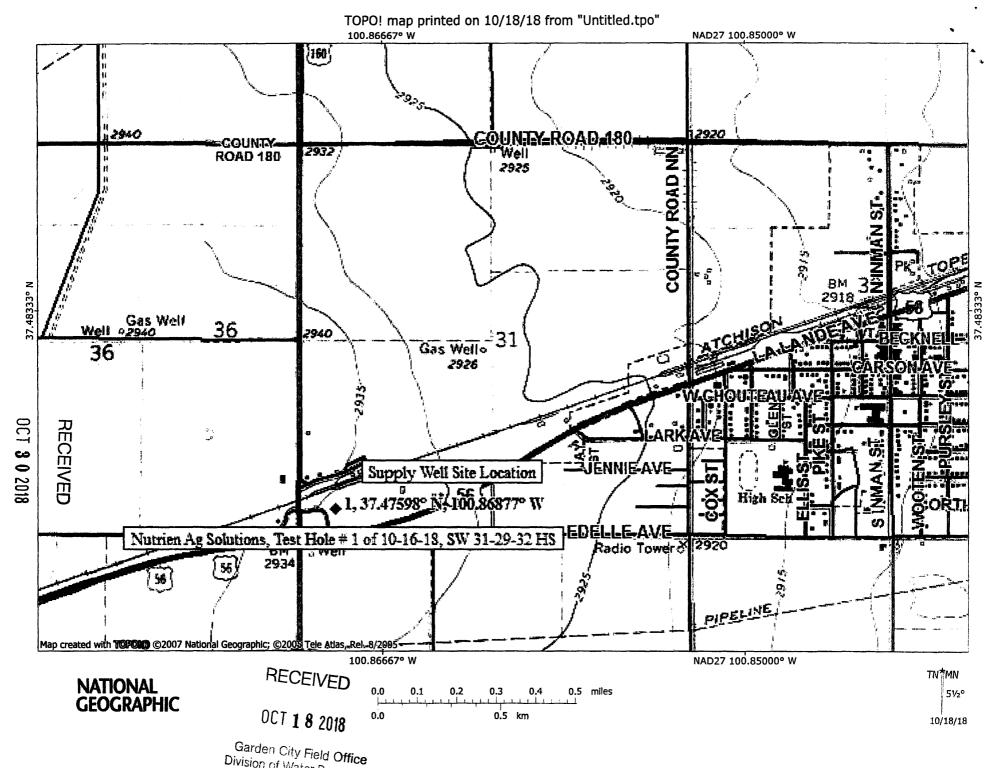
3795 W. Jones Ave. Garden City, KS 67846 PH: 620-277-2389



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

Customer N	lame: <u>1</u>	Nutien A	. Solutio	n3		WO#:	14564	Date:	10-16-18
Street Addre	ess:	122	W. LAL	IREL 6	7846	Test #:		E LOG:	10 10
City, State:	_	GARD	en cirt	KS.		Driller:	Dale Gu	-, - i.nn	
County: 1		Quarter:_		Section:		_ Township:	29	Range:	32
Location:	189'Sou	JH9- 115	WESTOR	EXISTING	WELL GPS	N37.47598	W100,86	- 777	
	0002		E	levation:	2924'		390'	Estimated?	
				•		Proposed W	ell Depth	709	
								10	

		Footage)	10'Sump
%	From	Pay	To	Description of Strata
	0	[2	Top Soil
	12		139	Brown Sandy Clay
	139		55	Fine Sand w/Some clay Mixed
	35		70	Brown Sandy clay w/little Caliche Mixed
	70		84	Sand fine to med course small med gravel
	8.4		149	Sand fine to med course small med grave
	149		159	Brown Sandy Clay
	159		178	Brown Sandy Clay w/ Some Sand Strips
	178		273	Sand fine to med course
	273		349	Blue Clav
20	349	1	391	Sand fine to med few course
5	39/	16	407	Sand fine to med w/ brown clay mixed
0	407	14	421	Sand fine to med some course wifew chy stringers
	421		433	Lime Rock + Brown Clay
0	43.3	3/	464	Sandstone w/few sompstone strips
	464		494	Soupstone w/ couple Sand Stone Ledges
	494		643	Blac Shale
5	643	15	658	Scapstone + some Sandstone
15	658	3	661	Sandstone -used some water -
5	661	28	689	Sandstone - Very Hard - Hit a crack 686-6874-used water-
5	689	10	699	Sandstone w/Some soops tone stringers
	699		720	Red Bed
	4			
				Super Gel X -9
	 			Bran -1
	 			Grout -5
	+			13 cm 1. 12/mg 3/4 -5
				Perma 12/ng -1
	1			43/4 Drag 13/ade -1
	 		-	
	 			
	 			
	 			RECEIVED RECEIVED
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				OCT 3 0 2018 OCT 1 8 2018
				
	1 1	1		Garden City Field Office Garden City Field Office



Division of Water Resources

Garden City Field Office Division of Water Resources

14. If the proposed groundwater point of diversion i	s 300 or fewer feet from the	e existing point of diversion, compl	ete the following:
(a) Does the undersigned represent all owners ☐ Yes ☐ No (If no, all owners)	s of the currently authorized s must sign this application		pplication?
 (b) Will the ownership interest of any owner of affected if this application is approved as re			pplication be adversely
(c) If this application is not approved expeditio ☐ Yes ☐ No (If no, all owner	usly, will there be substanti s must sign this application		th or safety?
If the application proposes a surface water change i or a change in place of use, the application must be agent (attach notarized statement authorizing representation)	signed by all owners of the	ndwater change in point of diversi e currently authorized place of use	on greater than 300 feet, or their duly authorized
I hereby verify, being first duly sworn upon age and the owner, the spouse of the owner their behalf, in regards to the water right(s) contained in this application are true, correct	r, or a duly authorized) to which this applicat ct and complete.	agent of the owner(s) to mak ion pertains. I further verify	e this application on
Dated at GARDENCITY	, Kansas, this 30	day of ORTOBER	, 20 / 8
Milyani			
(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			3.
	ON WAS SIGNED IN MY POPULATION OF THE PROPERTY	resence and sworn to before	me this <u>30TH</u> day
My Commission Expires 9-14-2		Notary Fublic	
ONLY COMPLETE APPLICATIONS WILL BE PROCESSI accurate information; maps, if necessary, must be included the appropriate fee must be paid.	<u>ED</u> . To be complete, all of the d; signatures of all the appropr	applicable portions of the application f iate owners' must be affixed to the app	orm must be completed with blication and notarized; and
	FEE SCHEDULE		
Each application to change the place of use or the place or the place of use or the place or the	o: Kansas Department o	f Agriculture)	
(1) Application to change a point of diversion(2) Application to change a point of diversion(3) Application to change the place of use	on more than 300 feet		\$100 \$200 \$200
		RECEIVED	
		OCT 3 0 2018	
DWR 1-121 (Revised 04/5/2018)	Page 3	OCT 0 0 2010	File No

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

prov With limit	visions of the Kansas Water Appropriation Law, K.S.A. 82and the exception of those conditions expressly contained here ations of File No. 39636	08b, as amended, and K.A.R. 5-5-1, <i>et seq.</i> and other applicable 1-701 et. seq., and rules and regulations promulgated thereunder, in, this Summary Order does not change the terms, conditions and
1.	A change application was received on October 36 diversion authorized under the above-referenced file num	9, 20/8 requesting that the place of use and / or point of or be changed as described in the application.
2.	On and after the effective date of this summary order, the authe topographic map accompanying the application to ch	uthorized place(s) of use shall be located substantially as shown on ange the place of use. Applicable To Not Applicable
3.	The change in point of diversion shall not impair existing rig previously authorized. The point of diversion authorized radius of the authorized point(s) of diversion.	thts and shall be limited to the same source or sources of water as by this summary order shall be located within a <u>SO</u> foot ble
4.	The point(s) of diversion described herein is administrative Positioning System (GPS), as described in the application	vely corrected to be more accurately described using the Globan. ☐ Applicable ☑ Not Applicable
5.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion. ☐ Applicable ☑ N	be located more than feet from the previously Not Applicable
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a or other device suitable for making water level measurem K.A.R. 5-6-13.	well with a diversion rate of 100 gallons per minute or more, a tube ents shall be installed, operated and maintained in accordance with
	December 31, 2019 or before the first use of water, which and maintained in accordance with K.A.R. 5-1-4 through 5-3-5e, the owner shall maintain records and report the reannually to the Chief Engineer by March 1 following the Example 1 Not Applicable	hever occurs first. The water flow meter shall be installed, operated 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. ading of the water flow meter and the total quantity of water diverted and of each calendar year.
8.	authorized extension of time. By March 1, 20 20 the	e completed on or before December 31, 20_19_, or within any e applicant shall notify the Chief Engineer that construction of the vided by the Chief Engineer, as required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the requ	uired notice. ☐ Applicable ☐ Not Applicable
10.	All diversion works into which any type of chemical or other with an in-line, automatic, quick-closing check valve capa check valve(s) shall be installed, operated and maintained	foreign substance will be injected into the water shall be equipped able of preventing pollution of the source of the water supply. The d in accordance with K.A.R. 5-3-5c. Applicable Not Applicable
11.	Additional Conditions are attached. Yes You	•
12.	water appropriated under the above-referenced file num limitations, as amended and/or supplemented by this Su Appropriation Law and the Rules and Regulations prom	A.R. 5-5-14, all of the owners of the authorized place(s) of use of other are responsible for compliance with its terms, conditions and mmary Order, and with applicable provisions of the <i>Kansas Water</i> sulgated thereunder. Failure to comply with these provisions may mended, and/or the suspension or revocation and dismissal of the ions authorized by law.
4	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
you Eng Agri filed adm days revie File Leg 665	u are aggrieved by this order, pursuant to K.S.A. 82a-1901, may request an evidentiary hearing before the Chief ineer or request administrative review by the Secretary of culture. A request for hearing by the Chief Engineer must be within 15 days of service of this Order and a request for inistrative review by the Secretary must be filed within 30 s 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. any request with Kansas Department of Agriculture, al Division, 1320 Research Park Drive, Manhattan, KS 02. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.	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
	For Use by Register of Deeds	County of <u>Jinney</u>)
		Acknowledged before me on November 1, 2018
		by Michael A. Meues
		Signature:
		My commission expires: My commission expires: My Appointment Expires Public (Notable and 1)5, 2018

RECORDED IN MY CLERK THE 26

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

SEAL

Candy Huffine, Register of Deeds

Fee: \$37.00 201600880

(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

OCT 3 0 2018

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.

Printed Name: Stuart E. Funderburg

Printed Title: Chief Corporate Securities Counsel and

Assistant Secretary



STA	AT	E OF ILLINOIS				
CO	UN	TY OF MACON) ss.)		
Stuart	E.	This instrument Funderburg,	was	acknowledged	before me on October 21, 2016, , as the and Assistant Secretary	by Counsel Of
Arc	he	-Daniels-Midland (

[SEAL]

Print Name: 1. GRIFFIN
Notary Public in and for said

County and State

My Appointment Expiress
"OFFICIAL SEAL"

L GRIFFIN

NOTARY PUBLIC, STATE OF ILLINOIS

NY COMMISSION EXPIRES 11-05-2018

DB04/0810731.0039/12814369.2

2

RECEIVED

OCT 3 0 2018

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.

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