

# 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>

12/11/2020

# 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.

**Water Resources**

Paragraphs 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 of diversion and place of use.

KS Dept Of Agriculture

File No. 18379

RECEIVED  
 11:46 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):

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		
23	31	28	0	0	0	0	0	0	0	0	0	5	0	0	5	24	37	37	24	132
25	31	28	0	0	0	0	0	0	0	0	0	39	32	32	39	0	32	32	0	206
26	31	28	32	32	32	32	16	16	39	39	13	12	0	1	32	32	32	32	392	

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	0	0	0	0	0	0	0	0	4	0	0	4	23	35	35	23	124
25	31	28	0	0	0	0	31	31	31	31	28.5	31.5	31.5	28.5	0	29	29	0	302
26	31	28	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

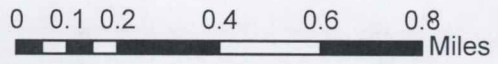
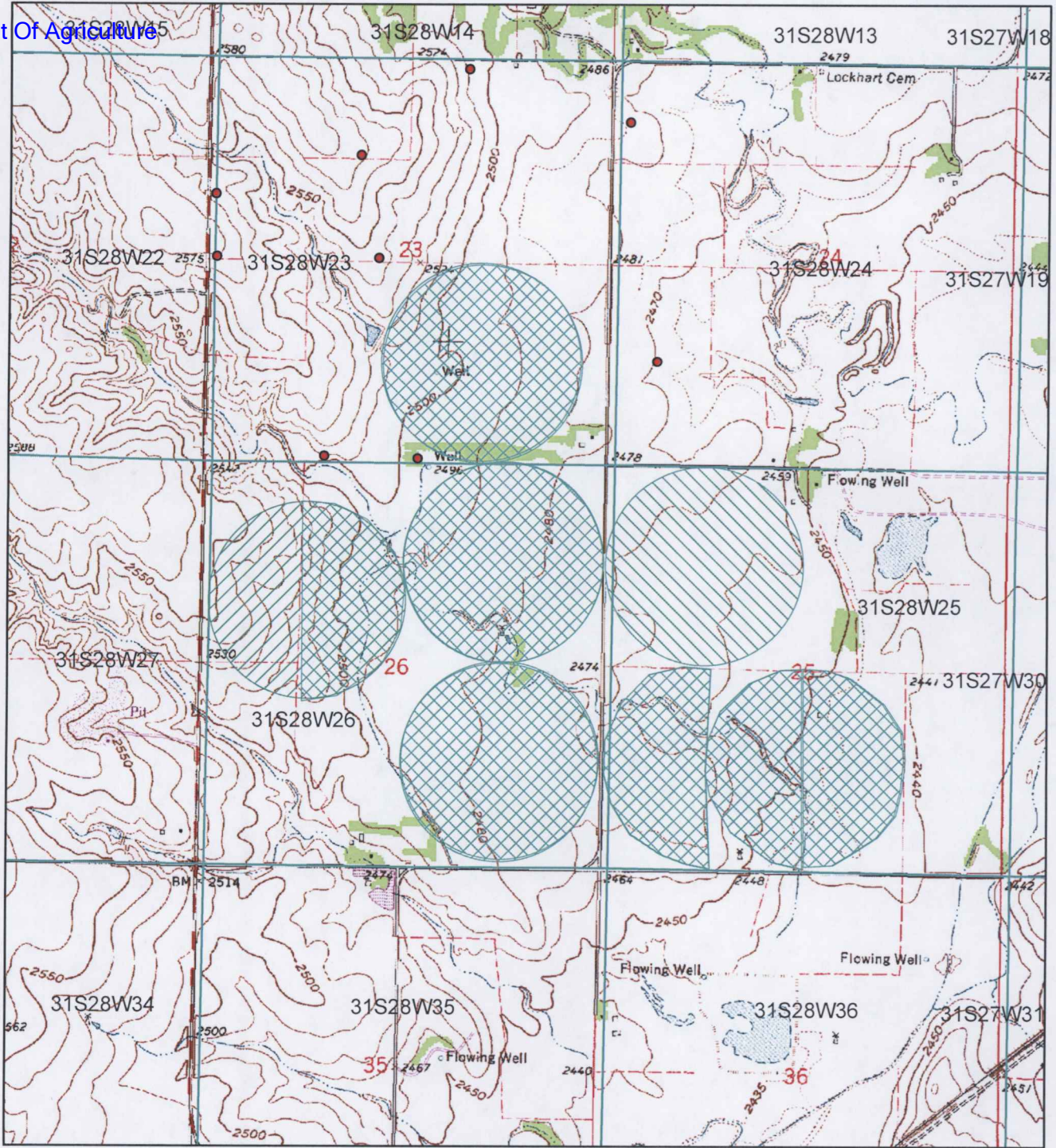
12/11/2020



# Change in place of use for water right 18379

*12B* *11-30-20*  
*X initials date*  
*Amended 11/6/2020*

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-  Authorized place of use
-  Proposed place of use

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

X \_\_\_\_\_

12/11/2020

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

FILE NO. 18379

MAKE ADDITIONAL COPIES AS NECESSARY

KB 11-30-20  
X initials date  
Delete this page

KS Dept Of Agriculture

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

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				

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: Same  
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						
24	31	28W	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	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							

5. **Presently authorized point of diversion:**  
 One in the     NW     Quarter of the     NW     Quarter of the     NE     Quarter  
 of Section     26    , Township     31     South, Range     28     (W),  
 in ME County, Kansas,      feet North      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. 1      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   264  .

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) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

8. If a well, is the test hole log attached?  Yes     No  
12/11/2020

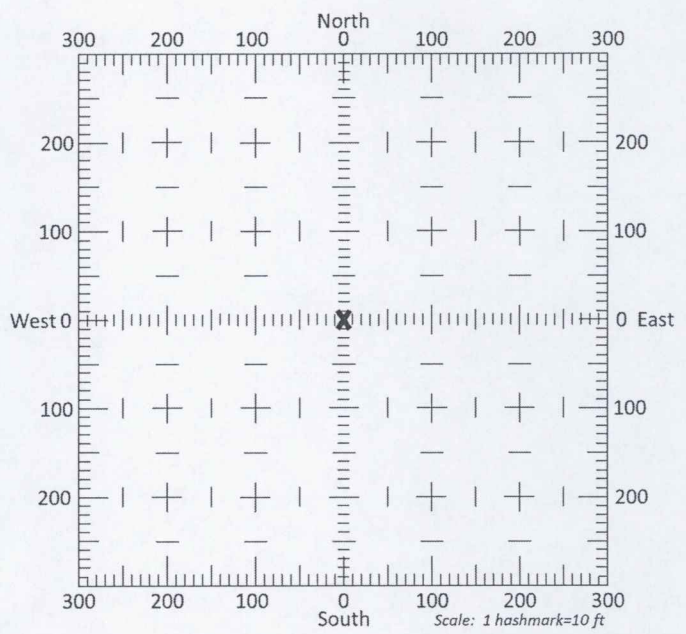
9. The change(s) (was)(will be) completed by?  
Water Resources  
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10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
N/A  
 (b) When will this be done? N/A

11. Groundwater Management District recommendation  
 attached?     Yes     No

12. Assisted by mf/GCFO

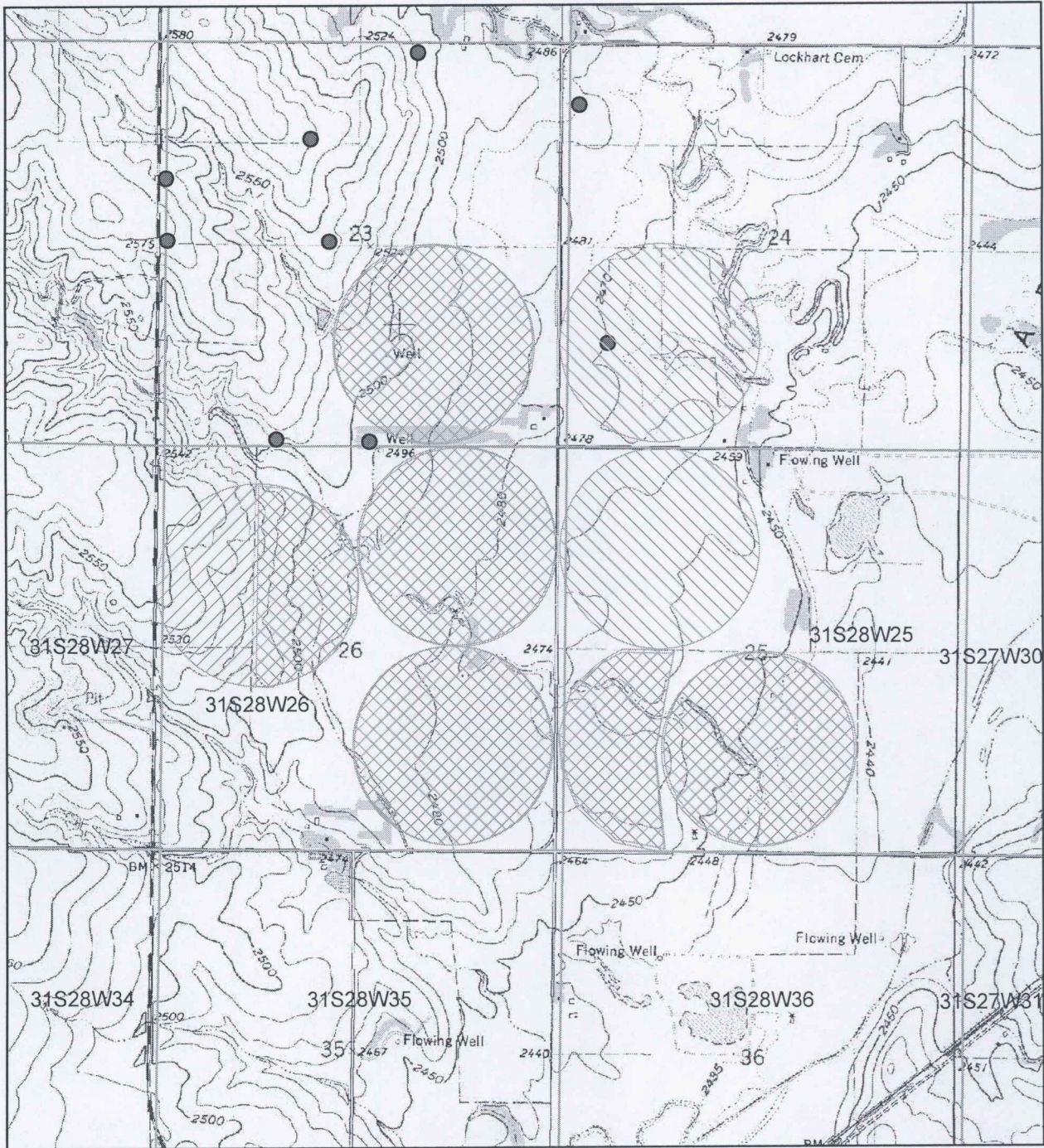
13a. If the proposed point of diversion will be relocated more than  
300 feet but within 2,640 feet of the existing point of diversion,  
 attach a topographic map or aerial photograph. For groundwater sources,  
 show all wells (including domestic) within one-half mile of the proposed  
 point of diversion 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





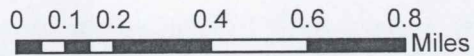
13b. If the proposed point of diversion will be relocated within 300  
feet of the existing point of diversion, indicate its location on the  
 diagram shown above in relation to the existing point of  
 diversion. (PLEASE NOTE: The "X" in center of diagram  
 above represents the presently authorized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

# Change in place of use for water right 18379

KS Dept Of Agriculture



-  Authorized place of use
-  Proposed place of use



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

x Kim Batman  
*Michele Batman*

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 5<sup>th</sup> 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)

(Spouse)

(Please Print)

(Please Print)

State of Kansas

12/11/2020

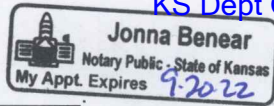
County of Meade } SS

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

KS Dept Of Agriculture

My Commission Expires 9-2022



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

**Water Summary BY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS**

**Received**  
 KS Dept. Of Agriculture

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, provided that the except of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 18379.

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, 20 20, 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*

**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

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

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31S28W23

31S28W24

31S27W19

Meade

31S28W25

31S27W30

perfected + base  
acres combined  
160 acres as  
reported