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:		
29939	3-13	C2	4	3		
6. Status: ☐ Approved ☐ Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:		
				2/22/2019		
8a. Applicant(s) New to system □	Person ID 61989 Add Seq#	8c. Landown New to sy		Person ID 64846 Add Seq#		
JACOB NEUFELD 10165 W RIVER RD HOLCOMB KS 67851		JACOE 10165 N HOLCO NOTE:		SES LLC HANGE – NAME &		
8b. Landowner(s) New to system □	Person IDAdd Seq#	New to sy		Person IDAdd Seq#		
		8a				
9. Documents and Enclosure(s): ☑ DV ☐ Anti-Reverse Meter ☐ Meter ☐ Conservation Plan Date Require	Seal	□ N & P Form	☐ Water Tube ☐ D	Comply: H & E Letter Comply:		
10. Use Made of Water From:		To: _				
			Date Prepared: 3/11/2 Date Entered:	.019 ву: АМ ву:		

File No.	29939)	11	I. Count	ty: FI	Bas	sin: AF	RKAN	SASR	IVER	-		S	tream:		application of the second	74	b			Fo	rmation Code	e: Special Use:
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16. Plac	e of Use	-	1		-	NE	Ξ1/4	40		NV	V1/4		1/	sv	V ¹/₄			s	E1/4		Total	Owner	Chg? Overlap Files
MOD DEL FNT	PUSE	S T	R	ID	NE	NW 1/4	SW 1/4	SE 1/4	NE 1⁄4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4			
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Garden City Field Office 2508 Johns Street Garden City, KS 67846-2804



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

Mike Beam, Interim Secretary

Laura Kelly, Governor

March 13, 2019

SANDYHILL ENTERPRISES LLC JACOB NEUFELD 10165 W RIVER RD HOLCOMB KS 67851

RE:

Water Right, File Nos. 28871-D1, 29939, 33676, 33677

Dear Sir:

Enclosed are orders executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

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

Since these orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

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 13th day of March, 2019, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 28,871-D1, 29,939, 33,676, & 33,677, dated 13th day of March, 2019 was mailed postage prepaid, first class, US mail to the following:

SANDYHILL ENTERPRISES LLC JACOB NEUFELD 10165 W RIVER RD HOLCOMB KS 67851

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



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.

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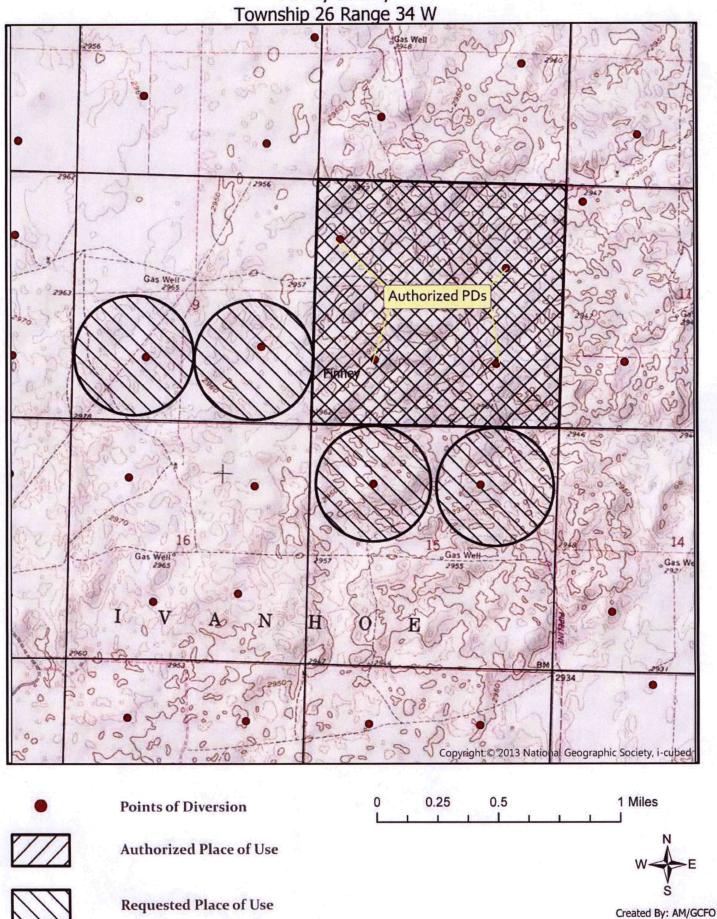
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The state of the s	County, Kansas,										
Authorized Rate	Authorized Quantity	MARKET TRAIL	Depth of well	(feet)							
(DWR use only: Cor	mputer ID No G	PS	feet North	feet West)							
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Description of Detail	Proposed Quantity	1001110111	Barran and well do the	(f4)							
	are desired for the following reaso		North	Mail 2 hadens on the							
PLACE OF USE W/ 28	8871-D1; 33676 AND 33677	_ 300 _ ET	200 100 0 	100 200 300							
		E									
If a well, is the test hole	e log attached? Yes No	200	1+1+1=	1 + 1 + 1 = 200							
The change(s) (was)(w	vill he) completed by?										
	mi be) completed by :	에 기뻐스 기름	<u>-</u> - <u>-</u>								
UPON APPROVAL		100		1+1+1=100							
If the point of diversion	is a well:		=								
		West	ationlootoolootoo	0 East							
(a) vvnat are you goir	g to do with the old well?	West of E	=	3 200							
				de la companya de la producción de la companya de l							
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(b) When will this be	done?	- E									
		E									
Groundwater Manager Yes	nent District recommendation attach No	ed? 200		+ + - 2 00							
Assisted by AM/CCEO		<u> </u>	<u></u>	եահահահանակա							
Assisted by AM/GCFO		300	200 100 0	100 200 300							
If the proposed point of feet but within 2,640 fe	diversion will be relocated more that et of the existing point of diversion, a	n 300 attach 13b. If the	South								

14. If th	ne proposed groundwater point of diversic	on is 300 or fewer feet fro	om the existing point of div	ersion, complete th	ne following:
(a)	Does the undersigned represent all own Yes No (If no, all own	ers of the currently auth ners must sign this appli	orized place(s) of use ider cation.)	ntified in this applica	ation?
(b)	Will the ownership interest of any owner affected if this application is approved as ☐ Yes ☐ No (If yes, all ownership interest of any owner affected if this application is approved as	er of the currently authors requested? In or must sign this app		tified in this applica	ation be adversely
(c)	If this application is not approved expedi		stantial damage to proper	ty, public health or	safety?
or a cha	oplication proposes a surface water changinge in place of use, the application must attach notarized statement authorizing rep	be signed by all owners	groundwater change in p of the currently authorized	oint of diversion gre d place of use, or th	eater than 300 fee neir duly authorize
age an their b	by verify, being first duly sworn upon the owner, the spouse of the owner ehalf, in regards to the water right ned in this application are true, cor	ner, or a duly author (s) to which this ap	ized agent of the own plication pertains. I fu	er(s) to make thi	s application or
-	(Owner)	, , , , , , , , , , , , , , , , , , ,	Agarella)	(Spouse)	
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	(Owner)		The state of the s	(Spouse)	1618 - 1245 - 8
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State of County	Kansas) SS	ution was signed in r		The second second	this 22 day
of 01	, 20 1 9	alon was signed in t	ny presence and swon	r to before the	uns <u></u> day
	JULIE JONES		0 - 0 - 0	04000121	an wiga shi a con A ki a bi ilan s
My Com	mission E December 15, 20	xpires	N	otary Public	
accurate	DMPLETE APPLICATIONS WILL BE PROCES information; maps, if necessary, must be include priate fee must be paid.	SED. To be complete, all ded; signatures of all the ap	of the applicable portions of the propriate owners' must be af	ne application form m fixed to the applicatio	ust be completed wi n and notarized; and
forth in t	plication to change the place of use or the he schedule below: Make checks payable (1) Application to change a point of diver (2) Application to change a point of diver (3) Application to change the place of us	e to: Kansas Departmersion 300 feet or less sion more than 300 feet	r this section shall be acco		\$100 \$200
eeriq	JULIE JONES JULIE JONES LY Appointment Ex December 15, 20				
DWR 1-1	21 (Revised 04/5/2018)	Page 3		Fil	e No

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

prov Witl	orovisions of the <i>Kansas Water Appropriation Law, K.S.A. 82a-7001</i> , as writing the work of the standard water appropriation Law, K.S.A. 82a-7001 et. With the exception of those conditions expressly contained herein, this simitations of File No	seg., and rules and regulations promulgated thereunder,
1.	 A change application was received on	requesting that the place of use and / or point of changed as described in the application.
2.	On and after the effective date of this summary order, the authorize the topographic map accompanying the application to change the	d place(s) of use shall be located substantially as shown on e place of use. Applicable Not Applicable
3.	previously authorized. The point of diversion authorized by this s	shall be limited to the same source or sources of water as summary order shall be located within a foot Not Applicable
4.	 The point(s) of diversion described herein is administratively corn Positioning System (GPS), as described in the application. ☐ A 	rected to be more accurately described using the Global oplicable 🔀 Not Applicable
5.	 The point(s) of diversion authorized herein shall not actually be local authorized point(s) of diversion. Applicable I Not Applicable 	tted more than feet from the previously icable
6.	6. As required by K.A.R. 5-3-5d, if the works for diversion is a well with or other device suitable for making water level measurements sha K.A.R. 5-6-13. ☐ Applicable ☐ Not Applicable	a diversion rate of 100 gallons per minute or more, a tube all be installed, operated and maintained in accordance with
7.	7. The owner of the authorized place(s) of use shall properly December 31, 20 19, or before the first use of water, which operated and maintained in accordance with K.A.R. 5-1-4 through K.A.R. 5-3-5e, the owner shall maintain records and report the rediverted annually to the Chief Engineer by March 1 following the Applicable Not Applicable	ever occurs first. The water flow meter shall be installed, n 5-1-12. As required by K.S.A. 82a-732, as amended, and ading of the water flow meter and the total quantity of water
8.	8. Installation of the works for diversion of water shall be completed authorized extension of time. By March 1, 20 the application works for diversion has been completed, on the form provided by Applicable Not Applicable	ant shall notify the Chief Engineer that construction of the
9.	9. The completed well log shall be submitted with the required no	tice.
10.	10. All diversion works into which any type of chemical or other foreign with an in-line, automatic, quick-closing check valve capable of p check valve(s) shall be installed, operated and maintained in according.	preventing pollution of the source of the water supply. The
11.	11. Additional Conditions are attached. Yes No	
12.	12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5 water appropriated under the above-referenced file number are limitations, as amended and/or supplemented by this Summary Appropriation Law and the Rules and Regulations promulgated result in civil penalties pursuant to K.S.A. 82a-737, as amended water or appropriation right or any other enforcement actions aut	responsible for compliance with its terms, conditions and Order, and with applicable provisions of the <i>Kansas Water</i> thereunder. Failure to comply with these provisions may, and/or the suspension or revocation and dismissal of the
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
If yo	If you are aggrieved by this order, pursuant to K.S.A. 82a-1901,	APPLICATION APPROVED AND SUMMARY ORDER ISSUED
you	you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of	OUNIMARY ORDER TOOGLE
Agr	Agriculture. A request for hearing by the Chief Engineer must be By: filed within 15 days of service of this Order and a request for	Day Authorized Designee of the Chief Engineer
adn	administrative review by the Secretary must be filed within 30	110000000000000000000000000000000000000
day revi	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.	(Print Name):
File	File any request with Kaneae Department of Agriculture	of Issuance: March 13, 2019
665	66502. Failure to timely request a hearing or review may	e of Kansas)
pred	preclude review under the Kansas Judicial Review Act. For Use by Register of Deeds Court	nty of Jinney) SS
	Cou	1 200
	by_	200 d a Daniel de la company d
	Sig	nature: Notary Public
	Му	commission expires JULIE JONES (N MeAppGietalent Expires

Change in Place of Use File No. 29939 Finney County





Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street Garden City, Kansas 67846

(620) 275-7147 phone (620) 275-1431 fax www.gmd3.org

February 28, 2019

Michael A. Meyer Division of Water Resources 2508 N Johns Street Garden City, Kansas 67846

RE: Applications for Change in Place of Use

Water Right, File Nos. 28871 D1, 29939, 33676 & 33677

Dear Mike:

We have completed a review of the applications for the above referenced water rights. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use for a complete overlap in irrigation acres is in accordance with K.A.R. 5-5-11(b)(1). It is therefore recommended that the applications be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,

Jason L. Norquest Assistant Manager

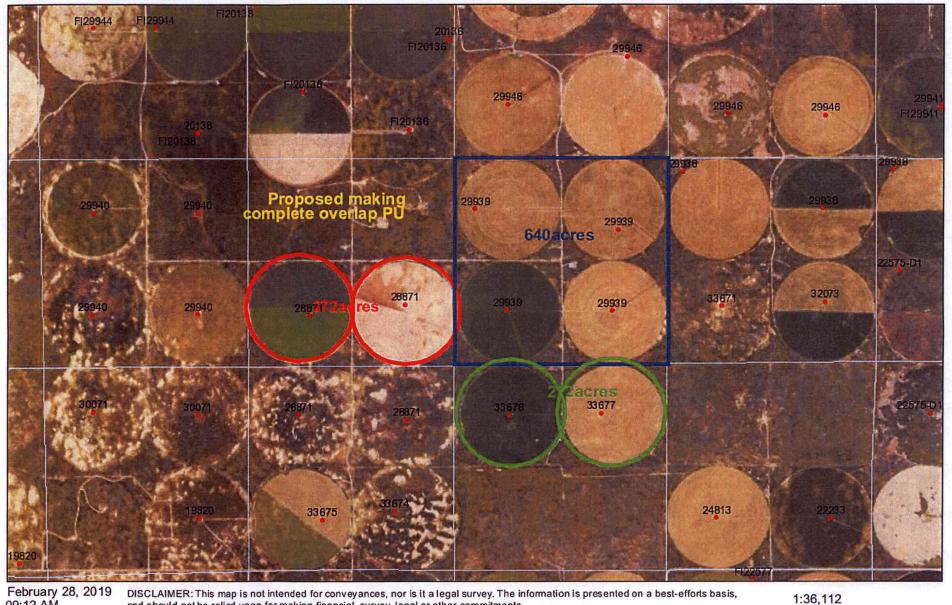
GMD3 Change Review

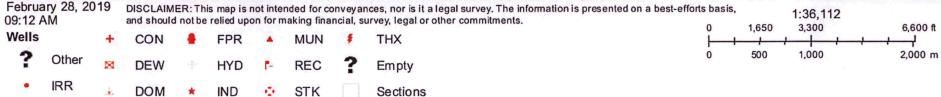
File No(s).: <u>2887</u>	1D1, 29939, 3	<u> 33676 & 33677</u> .		DWR off	rice: <u>GC</u> .
App filed to chan	ge: <u>PU</u> .				
Is Landowner(s)	correct in WR	IS: No, but will	be corrected	•	
If NO, is	documentation	included?			
Is Water Use Cor	respondent co	rrect in WRIS?	<u> </u>		
If NO, is	documentation	included?			
Regulation(s) Re-	viewed: KAR	5-5-11(b)(1)			
Point of diversion	n ID No(s)	being changed.			
	ft. North	ft. West			
Authorized PD				58 112 4	I tell to be to f
Proposed PD					
Difference	0	0			و المقديد الأ
a2 + b2 = c2	0	0	0		
GPS for proposed	PD: Lat:	Long:			
Is proposed PD s	tacking on exi	sting WRs? No	change.		
Is Proposed PU o	verlapping ex	isting WRs? Cr	eating a com	plete overlap on	acres, no
new acres being l	brought in that	are not covered	by the water	rights.	
Land Owner(s) n		Walter State Belleville	CORP. NOT THE STREET	Tarrie The Transfer	
Name	N	lame			
Address	A	ddress			
Zip					
Neighboring cert		A TOTAL OF THE PARTY OF THE PAR			
Name .		lame .			
Address .		ddress			
Zip		ip			
Domestic well(s)		"P Januarian al			
Name .		Jame .			
Address .		ddress .			
Zip .		Lip			
Base Acres:		"p			
Perfected Acres:					
Irr. Return-Flow	-				
All acres propos		d by at least on	o of the water	r rights and th	ic ic inct
making a 100%		d by at least on	c of the wate	rights and th	is is just
Is a waiver neede					
Final Recommen		r review of all as	ailable infor	mation it annoa	re all ourrent
area rules are me	i. Stall theref	ore recommends	approvai of	me applications.	

M



Reveiw PU Change







Electronically Recorded Document

File # 1506966

The attached document was recorded on your behalf by First American Title Company via our electronic recording process.

Thank you for allowing First American Title Company to record your documents.

Recorded Date/Time:

01/15/2019 2:50:00 PM

Instrument Number:

201900148

Book:

337

Page:

146

No Of Pages:

2

County/State:

Finney/KS

Borrower/Buyer:

Sandy Hill Enterprises, LLC

Document Type:

Warranty Deed

Document Seq:

2

Do not detach. This page is now a permanent part of this document.

Filed Sy First American Title 417 N. 8th Gentlen City, KS 67846 620-275-7441

337 146

DATA ENTRY LAND INDEX

SEAL SEAL

State of Kansas, Finney County SS. This instrument was filed for Record 01/15/2019 at 02:49 PM

& recorded in Book 337 on Page 146 Fee: \$38.00

2019-00148

ULRIKE LAPPIN, I FINNEY COUNTY REGISTER OF DEEDS

Entered in Transfer Record in my office this

15 day of January A.D., 2019

Finney County Clerk

KANSAS TRUSTEE'S DEED

(Individual/Tenants in Common)

THIS DEED, is made this 14 day of January, 2019 by and between Kathleen A. Koster Trustee and Duane E. Koster, Trustee of the Kathleen A. Koster Trust under agreement dated December 15, 2006 and Duane E Koster Trust under agreement dated December 15, 2006, as Grantor(s), and Sandy Hill Enterprises, LLC, as Grantee(s), whose mailing address is 10165 W.River Road, Holcomb, KS 67851.

WITNESSETH, that the Grantor(s), for and in consideration of the sum of One Dollar and other good and valuable consideration paid by the Grantees, the receipt and sufficiency of which is hereby acknowledged by Grantor(s), do/does by these presents **SELL AND CONVEY** unto the Grantee(s), the following described Real Estate, situated in the County of **Finney** and State of Kansas, to-wit:

SURFACE AND WATER RIGHTS ONLY

The North half (N/2) of Section Fifteen (15), Township Twenty-six (26) South, Range Thirty-four (34) West of the 6th P.M., in Finney County, Kansas.

All of Section Ten (10), Township Twenty-six (26) South, Range Thirty-four (34) West of the 6th P.M., in Finney County, Kansas. and

The Northwest Quarter (NW/4) of Section Eleven (11), Township Twenty-six (26) South, Range Thirty-four (34) West of the 6th P.M., Finney County, Kansas.

Subject to all easements, restrictions and reservations, if any, now of record.

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto the Grantee(s), and to the heirs and assigns of such Grantee(s) forever.

The Grantor(s) hereby covenanting that the Grantor(s), and the heirs, executors, administrators and assigns of the Grantor(s), shall and will **WARRANT AND DEFEND** the title to the premises unto the Grantee(s), and to the heirs and assigns of Grantee(s) forever, against the lawful claims of all persons whomsoever, *claiming by, through or under Grantor(s)*, excepting, however, the general taxes for the current calendar year and thereafter, and special taxes becoming a lien after the date of this deed.

KSTRDTIC Rev. 10/1/14

File No.: 1506966

rilea 5; First American Title 417 N. 84n Gardon City, KS 67846 628-275-7441

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KSTRDTIC Rev. 10/1/14 File No.: 1506966

FAX No. 16202760299

Dated: 1-14-2019

Kathleen A. Koster Trust

Kathleen/A. Koster, Trus

Outne E. Koster, Trustee

Duane E Koster Trust

Denne E. Koster, Trustee

Kathleen A. Koster, Trustee

STATE OF KANSAS

COUNTY OF Finney

)ss.)

BE IT REMEMBERED, That on this \(\lambda \) day of **January**, **2019**, before me, the undersigned, a Notary Public in and for said County and State, came **Kathleen A. Koster**, **Trustee** and **Duane E. Koster**, **Trustee** of the **Kathleen A. Koster Trust and Duane E. Koster Trust** and who is/are personally known to me to be the same person(s) who executed the within instrument of writing, and duly acknowledged the execution of the same as his/her/their free act and deed for the purposes expressed therein pursuant to the authority granted by said Trust Agreement.

Notary Public

My appointment expires:

LISA A. CHESTER

Notary Public - State of Kansas

My Appt. Expires 4 - 1 - 2

KSTROTIC Rev. 10/1/14

File No.: 1506966

ONLY FOR USE IN COUNTIES APPROVED TO ACCEPT ONE-PART FORMS (See website information below) KANSAS REAL ESTATE SALES VALIDATION QUESTIONNAIRE FOR COUNTY USE ONLY: DEED BOOK PAGE 8 CO. NO. MAP SEC SHEET QTR BI OCK PARCEL OWN RECORDING TYPE OF INSTRUMENT SPLIT MO YR TY **AMOUNT** S MULTI | BUYER (Grantee) SELLER (Grantor) NAME NAME MATI ING MAILING CITY/ST/ZIP CITY/ST/ZIP men PHONE NO. PHONE NO. Email (optional) Email (optional) IF AN AGENT SIGNS THIS FORM, BOTH BUYER AND SELLER TELEPHONE NUMBERS MUST BE ENTERED. BRIEF LEGAL DESCRIPTION Property / Situs Address: , all 10, Name and Mailing Address for Tax Statements See Above 1. Check any special facts that apply: Were any changes made to the property since January 1st? No Sale between immediate family members: Demolition New Construction Remodeling Additions Date completed Specify the relationship Amount \$ Sale involved corporate affiliates or related entities Were any delinquent property taxes paid by the buyer? Amt. \$ Auction Sale (absolute auction Yes No) Yes AND the amount was included in the total sale price Short sale (amount of lien(s) exceeds sale proceeds) Yes but the amount was not included in the total sale price No delinquent property taxes were included in the sale Transfer in lieu of foreclosure or repossession Sale involved a build-to-suit or leaseback arrangement Method of Financing (check all that apply): Sale by judicial order (by a guardian, executor, conservator, New loan(s) from a financial institution IRS 1031 Exchange administrator, or trustee of an estate) Seller financing Assumption of an Existing loan(s) Trade of property All-cash Not applicable Sale involved a government agency or public utility 9. Was the property offered to other potential buyers? Buyer (new owner) is a religious, charitable, or benevolent organization, school or educational association Yes: Advertised (listed, Internet, yard sign, word-of-mouth, etc.) Buyer (new owner) is a financial institution, insurance No: Private purchase (not offered on the open market) company, pension fund, or mortgage corporation 10. Does the buyer hold title to any adjoining property? Yes No Sale of only a partial interest in the real estate 11. Are there any additional facts that would cause this sale to be a Sale involved a trade or exchange of properties None of the above distressed, forced, or non-arms length exchange? 2. Check use of property at the time of sale: Yes No If yes, please describe Single family residence Agricultural land Farm/Ranch With residence Mineral rights included? Condominium unit □ No K.S.A 79-1437g. Same; penalty for violations. Any person who shall falsify the Vacant land Apartment Building value of real estate transferred shall be deemed guilty of a misdemeanor and Other: (Specify) Commercial/Industrial bldg. upon conviction thereof shall be fined not more than \$500. 3. Was the property rented or leased at the time of sale? Yes (number of years remaining on lease _ 12. TOTAL SALE PRICE \$ Tenant is buyer 4. Did the sale price include an operating business? DEED DATE Yes (estimated value \$ 13. I have read the instructions for completing this form and certify that the above Was any personal property included in the sale price (such as information is true and accurate furniture, equipment, inventory, machinery, crops, etc.)? If yes, please describe No Estimated value of all personal property items included in the sale price \$ Signature If Mobile Home: Year Model Socob Newford Grantee (Buyer) Grantor (Seller) Agent Daytime phone number (PV-RE-22-OP KANSAS REAL ESTATE SALES VALIDATION ONE-PART QUESTIONNAIRE WEBSITE ADDRESS:

http://www.ksrevenue.org/pvdratiostats.html

(Rev. 08/12)

Garden City Field Office 2508 Johns Street Garden City, KS 67846-2804



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

Mike Beam, Interim Secretary

Laura Kelly, Governor

February 25, 2019

SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 3 409 CAMPUS DRIVE, SUITE 106 GARDEN CITY KS 67846

Re:

Water Right File Nos. 28871 D1, 29939, 33676, 33677

Dear Mr. Norquest:

This is to advise you that Jacob Nuefeld has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use for the above referenced files.

We are delaying action on the change applications to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days from the date of this letter.

Thank you and as always feel free to contact this office at any time.

Sincerely,

Michael A. Meyer

Water Commissioner

MAM Enclosures