Kansas Department of Agriculture Division of Water Resources

CHANGE: P/D WORKSHEET

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
21390		C2	4	3
6. Status: Approved Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
				4/16/2021
8a. Applicant(s) New to system □	Person ID 67428 Add Seq#	8c. Landown		Person ID
JACOB R & SUSANA P L PO BOX 67 SEMINOLE, TX 79360-00				
8b. Landowner(s) New to system LOEWEN FAMILY FARM PO BOX 67 SEMINOLE, TX 79360-00		8d. WUC New to sy	stem 🗌	Person IDAdd Seq#
9. Documents and Enclosure(s): 🛛 DV	VR Meter(s) Date to Compl	y: 12/31/2021	N & P Date to €	Comply: 3/1/2022
☐ Anti-Reverse Meter ☐ Meter	Seal Check Valve	⊠ N & P Form	⊠ Water Tube ⊠ Dr	iller Copy 🛛 H & E Letter
☐ Conservation Plan Date Require	ed: Da	te Approved:	Date to	Comply:
10. Use Made of Water From:		To: _		
			Date Prepared: 4/26/2 Date Entered:	021 ву: АМ Ву:

File No.	21390	0	11. Count	y: KE	Е	Basin: A	RKAN	ISAS F	RIVER			S	tream:								rmation Code: 1/331	Special Use:	
12. Poi	nts of Dive	ersion														Rate	and Q	uantity					
MOD DEL	PDIV															P	Authori	zed		Ad	dditional		
ENT	FDIV	Qualifier	S	Т	R	ID		'N	ʻW	1	Com	ment	(AKA	Line)		Rate		Quantity af	<i>y</i>	Rate gpm		Overlap PD Files	
DEL	14089																						
ENT		NW SE SW	1	25S	35W		1	231	385	54						860)	267		860	267	NONE	
снк	38037	NW SE NW	1	25S	35W	2	3	885	361	3						865	5	275		865	275	NONE	
снк	65077	SW NW SE	1	25S	35W	5	1	340	216	55						875	5	273		875	273	NONE	
снк	83161	SE NW NE	1	25S	35W	6	4	243	146	51						860)	273		860	273	NONE	
13. Stor	13. Storage: RateNF Quantityac/ft Additional RateNF Additional Quantityac/ft																						
14. Limi	itation:		af/y	r at				gpm (cfs) w	hen co	ombine	ed with	file n	umber	(s)					
Lim	itation:		af/y	r at				gpm (cfs) w	hen co	ombine	ed with	file n	umber	(s)					
15. 5YF	R Allocation	n: Allocation	Туре	_ s	tart Ye	ar		5 YR	Amou	nt		Amo	ount U	nit	_	Base	Acres		_ Cd	omment _			_
16. Pla	ce of Use				1	NE¼			NV	V ¹/₄			sv	N ¹/₄			S	6E1/4		Total	Owner Chg	g? Overlap Files	
MOD DEL	PUSE	STR	ID	NI 1/4	E NW		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 ¼				
CHK 1																		,					
Base A	cres:	Year:		Minimu	um Rea	asonabl	e Qua	ntity:					-								_		
Comme	ents: NO	TE CHANG	E IN O	NNE	RSHI	Р																	

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 26, 2021

JACOB R & SUSANA P LOEWEN PO BOX 67 SEMINOLE, TX 79360-0067

RE: Water Right, File No. 15582; 21388 & 21390

Dear Sir or Madam:

Enclosed are the orders 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 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: enclosures

pc: GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this 26th day of April, 2021, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File Nos. 15,582; 21,388 & 21,390 dated 26th day of April, 2021 was mailed postage prepaid, first class, US mail to the following:

JACOB R & SUSANA P LOEWEN PO BOX 67 SEMINOLE, TX 79360-0067

Pc:

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.

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)

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						F	ile No	. 2139	0									APR I	6 2021
1. <i>F</i>	Applicati	on is he	reby m	nade fo	or appr					er to ch				e or b	oth):	D	Gard ivision	en City of Wa	Field Office ater Resource
ι	under the	e water	right w	hich is	the su									nditions	s desc	ribed b	pelow.		
	The sour																		
2. 1	Name ar	nd addre	ess of	Applica	ant: 📐	reot)	-oev	ven										
F	Phone N	lumber:								addre									
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	Phone N						_		Email	addre	ss:								
	The pres																		
(Owner o																		
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(If there is	more th	an one	landow	ner, at	ach su	ppleme	ental sh	eets as	neces	sary.)				1		/		
				NE	1/4			NV	N1/4		SW1/4				Ξ¼ Τ	-	TOTAL ACRES		
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	f this ap Owner o				_	-						ace of	use be	chan	ged to	:			
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				NF	1/4			N\	N1/4			SV	N1/4			SI	E1/4		TOTAL
Sec.	Twp.	Range	NE1/4	N401/4		SE1/4	NE1/4		SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
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	or Offic	o Heo (nly: (and a		Eoo	¢ 10	0 00	TP ±	<u> </u>		Red	reint C	ato L	-16-	21	Check	# 44	186

5.	Presently authorized point of diversion:				
	One in the Quarter of the	SE	Quarter of the	SW	Quarter
	of Section, Township	25	South, Range	35	(VV),
	in Kearny County, Kansas,1307 f	feet North _	3760 feet West of S	Southeast corne	r of section.
	Authorized Rate Authorized Quantity		Depth of well	(fee	et)
	(DWR use only: Computer ID No. 3 GPS		feet North	feet We	est)
	☐This point will not be changed ☐This point will be changed a	as follows: [☐ No change, point better d	escribed with GP	S as follows:
	Proposed point of diversion: (Complete only if change				
	One in the Quarter of the				
	of Section, Township				
	in <u>Kearny</u> County, Kansas, <u>1231</u> f				
	Proposed Rate Proposed Quantity				
L	This point is: Additional Well Geo Center List other	er water righ	nts that will use this point		·
_	Pro-				
3.	Presently authorized point of diversion:				
	One in the Quarter of the				
	of Section, Township				
	in <u>Kearny</u> County, Kansas, <u>3885</u> f				
	Authorized Rate Authorized Quantity				
	(DWR use only: Computer ID No. 2 GPS				-
	☑This point will not be changed ☐This point will be changed a				
	Proposed point of diversion: (Complete only if change				
	One in the Quarter of the				
	of Section, Township				
	in County, Kansas, f Proposed Rate Proposed Quantity				
	This point is: Additional Well Geo Center List other				
L	This point is. Additional Well Geo Center List of ite	or water rigi	its that will ase this point		·
7.	The changes herein are desired for the following reasons?				
	(please be specific)		North		200
) 200 100 0	100 200	300 TTTT
		E	- ' <u> </u> ' <u>+</u> ' <u>+</u>		· 🗐
3.	If a well, is the test hole log attached? Yes No	300 E	-1 + 1 + 1 =	1 - 1 -	200
		200			200
9.	The change(s) (was)(will be) completed by?	E		-	
		100	-1 + 1 + 1 =	1 + 1 +	100
10	If the point of diversion is a well:	E			4
10.	•	West 0		doodoodoodo	ULLHH O Fast
	(a) What are you going to do with the old well?	E	Ē	1 1	3
		E			Ē
	(b) When will this be done?	100	-1 + 1 + 1 =	1 + 1 +	100
		E			킄
11.	Groundwater Management District recommendation attached?	200	-1 + 1 + 1 =	1 + 1 +	200
	☐ Yes No	E			<u> </u>
	· · · · · · · · · · · · · · · · · · ·	E	mboolaatoolaatool	dialimitanta.	
12	2. Assisted by Alex Torrance	300		100 200	300

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 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.

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

SUPPLEMENTAL SHEET

FILE NO. 21390

Presently author	izeu poilit oi	uiversion.				
One in the	SW	Quarter of the	NW	Quarter of the	SE	Quarter
of Section	1	, Township	25	South, Range	35	(W).
in Kearny	Co	ounty, Kansas, 1340	feet North	2165 feet West of S	Southeast corn	er of section.
Authorized Rate		Authorized Quantity	v	Depth of well	(fe	et)
(DWR use only:	Computer IF	No 5	PS	Depth of wellfeet North	foot W	(act)
This point will no	ot he changed	This point will be ch	anged as follows:	No change, point better	described with (EDS as follows:
T 1	_		•		described with C	oro as ioliows.
Proposed point of	of diversion:	(Complete only if cha	nge is requeste	<u>ed)</u>		
One in the		Quarter of the		Quarter of the		Quarter
of Section		, Township		South, Range		(W).
in	Co	ounty. Kansas.	feet North	South, Range feet West of S Proposed well depth hts that will use this point	Southeast corn	er of section.
Proposed Rate		Proposed Quantity		Proposed well depth	(feet)	
This point is:	Additional We	□ Geo Center List	other water righ	nts that will use this point	(1001)	
THIS POINT IS:	taaitioriai vvo	a dec conter Liet	totrioi water rigi	to that will doe this point.		
Presently author	ized point of	f diversion:				
One in the	SE	Quarter of the	NW	Quarter of the	NF	Quarter
of Section	1	Quarter or the	25	South, Range	35	Quarter
in Kearny	Co	Linty Kansas 4243	foot North	1461 foot West of S	couthoast corn	or of soction
Authorized Date		Authorized Quentity	reet North _	1461 feet West of S	outheast com	er or section.
Authorized Rate _	0	Authorized Quantity	y	Depth of well	(1e	et)
(DWR use only:	Computer IL	NO. 6		feet North	teet w	est)
	_		_	No change, point better	described with C	SPS as follows:
Proposed point of	of diversion:	(Complete only if char	nge is requeste	<u>ed)</u>		
One in the		Quarter of the		Quarter of the		Quarter
of Section		Quarter of the		South, Range		(E/\/\)
in	Co	unty Kanese	feet North	feet West of S	Coutheast corn	er of section
Droposed Bate		Droposed Quantity	ieet Noitii _	Dranged well death	(foot)	ei oi section.
This point is .	\ a a :\. = = = \ \ \ / =	Proposed Quantity	-46	Proposed well depth	(1661)	
This point is:	Additional vve	Geo Center List	other water rigi	nts that will use this point		
Presently author	ized point of	f diversion:				
Presently author				Quarter of the		Quarter
				Quarter of the		Quarter
One in the		Quarter of the , Township	foot North	Quarter of the South, Range	Sauth and Jan	Quarter (E/W),
One in the of Section in	Co	Quarter of the , Township punty, Kansas,	feet North _	feet West of S	Southeast corn	er of section.
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One in the of Section in Authorized Rate _ (DWR use only:	Computer IE	Quarter of the , Township bunty, Kansas, Authorized Quantity No.	feet North _ y GPS	feet West of S Depth of well feet North	Southeast corne feet W	er of section. et) est)
One in the of Section in Authorized Rate _ (DWR use only:	Computer IE	Quarter of the , Township bunty, Kansas, Authorized Quantity No.	feet North _ y GPS	feet West of S Depth of well	Southeast corne feet W	er of section. et) est)
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14. If the proposed groundwater point of diversion is 300 or fewer feet in	om the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently auth ☐ Yes ☐ No (If no, all owners must sign this appli	
 (b) Will the ownership interest of any owner of the currently authoral 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 sul ☐ Yes ☐ No (If no, all owners must sign this appli	
If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affirm age and the owner, the spouse of the owner, or a duly author their behalf, in regards to the water right(s) to which this ap contained in this application are true, correct and complete.	rized agent of the owner(s) to make this application on plication pertains. I further verify that the statements
Dated at Seminok , Kansas, this	15th day of April , 20 51.
Jarob Samin (Owner)	Lusana Focusen (Spouse)
Jacob Loeyes	Susana Loewen
Moster howen	(Please Print)
(Owner)	Spouse
Martin Loewen	Lisa Loewen
(Please Print)	(Please Print)
(Owner)	(Spouse)
Kemando Lorenen	Aganetha Loewer
(Please Print)	(Please Print) JOHN K. PETERS
State of Kansas Texas	Notary Public, State of Texas
County of (Saine)	Notary ID 126416779
I hereby certify that the foregoing application was signed in of	my presence and sworn to before me this 15th day
	Modelsen
My Commission Expires 2/56/2014	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all accurate information; maps, if necessary, must be included; signatures of all the a the appropriate fee must be paid.	
FEE SCHED!	<u>ULE</u>
Each application to change the place of use or the point of diversion undeforth in the schedule below: Make checks payable to: Kansas Departm (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	t

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. 21390 change application was received on <u>hearth to the place of usersion authorized under the above-referenced file number be changed as described in the application.</u> A change application was received on Acc. requesting that the place of use and / or point of 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 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 <u>soo</u> foot radius of the authorized point(s) of diversion. Applicable Not Applicable 3. 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 The point(s) of diversion authorized herein shall not actually be located more than authorized point(s) of diversion. Applicable Not Applicable feet from the previously 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 The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before **December 31, 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. ☐ Not Applicable Applicable Applicable 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 The completed well log shall be submitted with the required notice. M 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED 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 Duly Authorized Designee of the Chief Engineer administrative review by the Secretary must be filed within 30 days pursuant to K.S.A. 77-531. Any request for administrative Malloch (Print Name): Hustin review must state a basis for review pursuant to K.S.A. 77-527. Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Date of Issuance: 02 Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds County of Acknowledged before me or Signature: Motary Public JULIE JONES

My commission expires

NOTARY

PUBLIC .

File No. 21390

My Appointment Expires

(Notary Seal) 2022

CORPORATION DEED-General Warranty	
DEED GENERAL WARRANTY FROM	THIS DEED, MADE THIS day of
то	a corporation duly incorporated and existing under the laws of KANSAS and having its principal place of business at Scott City, Scott County, in the State of KANSAS, as first party, and
Entered in Transfer Record in my office, this day of	Loewen Family Farms, LLC, of GAINES County, in the State of TEXAS, as second party,
County Clerk.	WITNESSETH, That first party, in consideration of the sum of
STATE OF KANSAS))ss. County.)	
This instrument was filed for record on the day of 20 , at o'clock M.,	CONTRIBUTION
and duly recorded in Book of Deeds, at page	the receipt of which is hereby acknowledged, does by these presents convey and warrant unto second party, its heirs and assigns, all of the following described real estate situated in Kearny County.
Register of Deeds. By Deputy.	State of KANSAS , to-wit:
FEES. Register of Deeds, for recording \$ County Clerk, for transfer. Total, \$	SEE ATTACHED "EXHIBIT A"
or in any wise appertaining, forever. And said first party, for itself, its successor delivery of these presents it is lawfully seized in its ow real estate, with the appurtenances; that the same are estates, judgments, taxes, assessments and encumb reservations of record and that it will warrant and it	Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or and assigns, does hereby covenant, promise and agree to and with said second party that at the varight of an absolute and indefeasible estate of inheritance, in fee simple, of all the above-described after, discharged and unencumbered of and from all former and other grants, titles, charges, reserved to the same unto said second party, its heirs and assigns, against said first party, its persons whomsoever lawfully claiming or to claim the same.
	IN WITNESS WHEREOF, First party has caused this Deed be signed on its behalf by Bruce Mueller, General Manager and CEO, thereunto duly authorized so to do, the day and year first above written.
	Bruce Mueller, General Manager and CEO
STATE OF KANSAS)	
county of tiney) ss	s:
Wheatland Electric Cooperative, Inc., a of Kansas, who is personally known to a	and State aforesaid, came Bruce Mueller, General Manager and CEO of corporation duly incorporated and existing under and by virtue of the laws me to be the same person who executed, as such officer, the foregoing deed persons duly acknowledged the execution of the same to be the act and deed
MEGAN JO SNE NOTARY PUBL NAY APP! EXT	IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official Seal the day and year last above mentioned.
My Appointment Expires	. 23 , 2022.

N8 3 1390

"EXHIBIT A"

Tract One: All of Section One (1), Township Twenty-five (25) South, Range Thirty-five (35) West of the 6th P.M., Kearny County, Kansas, except all mineral rights. Together with all water rights appurtenant thereto.

Tract Two: The North Half (N/2) and Southeast Quarter (SE/4) of Section Twelve (12), Township Twenty-five (25) South, Range Thirty-five (35) West of the 6th P.M., Kearny County, Kansas, except all mineral rights. Together with all water rights appurtenant thereto. EXCEPT: a tract located in the Southeast Quarter of Section 12, Township 25 South, Range 35 West of the 6th P.M., Kearny County, Kansas more particularly described as follows:

Commencing at the Southwest corner of said Section 12 being a found grader blade, set ½" R-bar, Parks cap typical to surface; thence North 01°43'13" East of the West line of said Section 12 as evidenced by the line between the found grader blade at the Southwest corner of said Section 12 and the found ½' R-bar, Matthews, at the surface at the Northwest corner of said Section 12 a distance of 2634.32 feet; thence South 88°16'47" East a distance of 2690.85 feet to the point of beginning being a set ½" R-bar; thence continuing South 88°16'47" East a distance of 745.62 feet to a set ½" R-bar; thence South 43°17'54" West a distance of 1120.17 feet to a set 1/2" R-bar; thence North 01°34'04" East a distance of 837.95 feet to the point of beginning

STATE OF KANSAS SS KEARNY COUNTY This instrument was filed for record on the 11th day of January A.D. 2021 at 11:40 o'clock A.M., and duly recorded in Book 303 of record, at Page 50	SEAL
REGISTER OF DEEDS ByDeputy Rec. Fee \$ 55.00	THE COUNTY
Entered in Transfer Record in my Office this	INDEXED RECEPTION COMPUTER DIRECT C INDIRECT C NUMERICAL