

Garden City Field Office
2508 Johns Street
Garden City, Kansas 67846-2804
Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Michael A. Meyer, Water Commissioner

Kansas
Department of Agriculture
Division of Water Resources

Phone: (620) 276-2901
Fax: (620) 276-9315
www.agriculture.ks.gov
Sam Brownback, Governor

April 21, 2017

T BAR J LAND INVESTMENTS LLC
1578 CO RD C
TRIBUNE KS 67879

RE: Application to Change the Place of Use
File Nos. 9777, 17100, 19064, 24565 D1 & D2.

Dear Mr. Weaver:

Enclosed you will find a *Summary Order Approving Application for Change in Place of Use* for the above referenced files. Since these orders modify the original documents, it should be recorded at the County Register of Deeds.

These orders modify the authorized acres that can be irrigated by these files. The authorized place of use is as shown on the plats within the change approvals.

A condition of this order is that an acceptable flow meter must be properly installed on the diversion works authorized under the referenced file number in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12. This water flow meter shall be used to provide information required on the annual water use report (including the meter reading at the beginning and end of the report year).

This order shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order. The date of service is the date listed on the enclosed *Certificate of Service*.

Should you have any questions, please feel free to call this office or arrange an appointment for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,



Thomas P. Makens
Assistant Water Commissioner

TPM:tpm
Enclosures
GMD#1

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) of diversion and/or place of use.

File No. 9777

RECEIVED
 4:55 pm
 MAR 10 2017

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

Garden City Field Office
 Division of Water Resources

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: Travis Weaver

1578 CO RD C TRIBUNE KS 67879

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: T BAR J LAND INVESTMENTS LLC

1578 CO RD C TRIBUNE KS 67879

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: T BAR J LAND INVESTMENTS LLC

ADDRESS: 1578 CO RD C TRIBUNE KS 67879

(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	
13	17	39w					31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25			25	10	285
14	17	39w	31.25	31.25	31.25	31.25													125
24	17	39w					31.25	31.25	31.25	31.25									125

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: T BAR J LAND INVESTMENTS LLC

ADDRESS: 1578 CO RD C TRIBUNE KS 67879

(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	
13	17	39w					31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25					250
14	17	39w	31.25	31.25	31.25	31.25													125

For Office Use Only: Code _____ Fee \$ <u>200</u> TR # _____ Receipt Date <u>3/10/17</u> Check # <u>4804</u>

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 9777
MAKE ADDITIONAL COPIES AS NECESSARY

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: T BAR J LAND INVESTMENTS LLC
ADDRESS: 1578 CO RD C TRIBUNE KS 67879

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	17	39w	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	500	
23	17	39w																				125	

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						

14. If the proposed groundwater point of diversion is 300 or fewer feet from 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 regard 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 Garden City, Kansas, this 10th day of March, 2017.

[Signature]
(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

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 10th day of March, 2017.



[Signature]
Notary Public

My Commission Expires _____

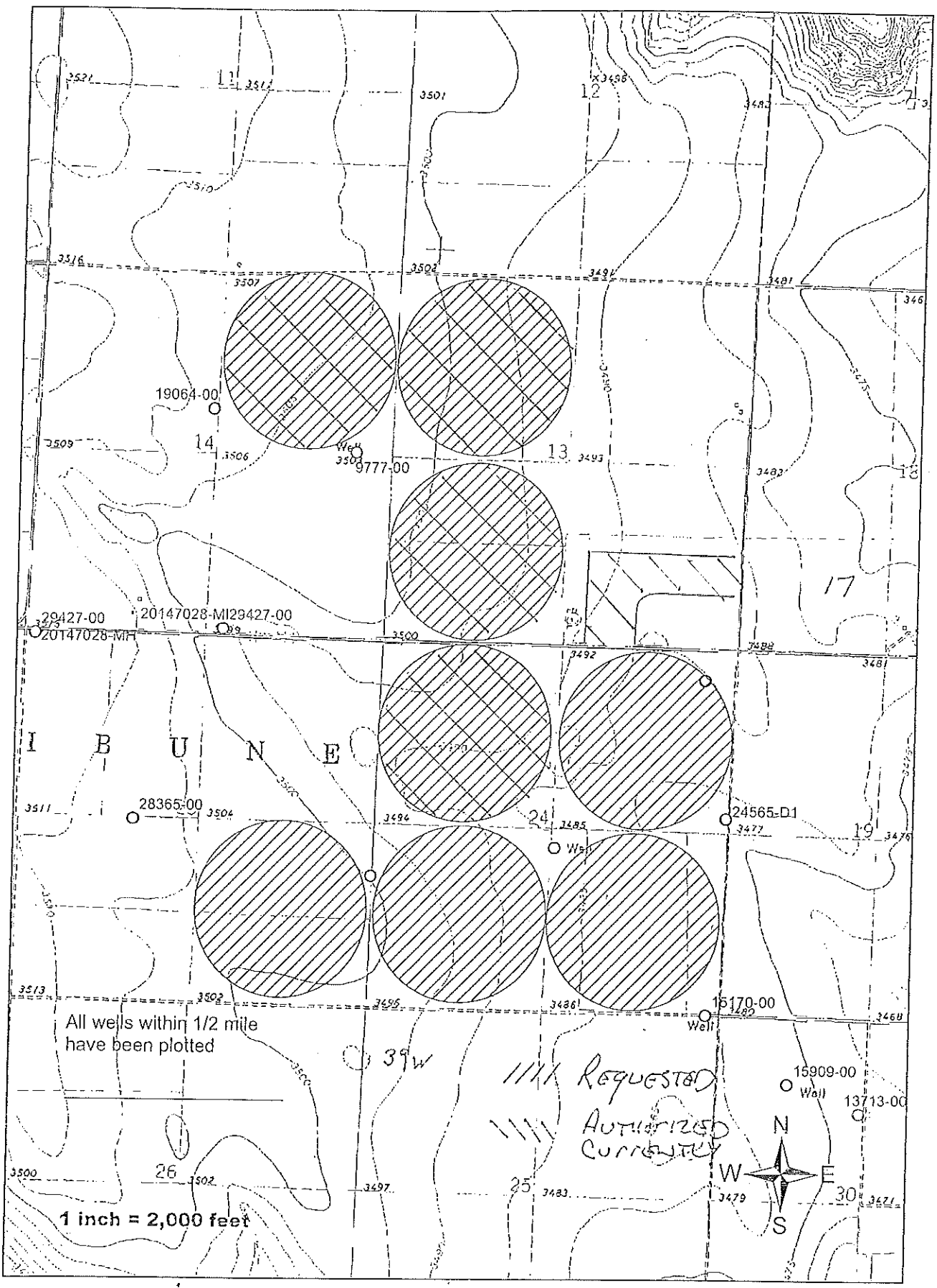
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate 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

9777, 17100, 19064, 24565D1, 24565D2



State of Kansas, Greeley County, ss
 This instrument was filed for Record on the
7th day of March A.D. 2017 at 8:00
 o'clock A.M. and duly recorded in Book 182
 on page 38-40 fees \$ 46.00
Kim R. Robertson
 Register of Deeds



Entered in Transfer Record _____
 in my office this 7th day of
 of March, 2017.

Samantha R. Steele, Deputy
 County Clerk

TRUSTEES' DEED WITH AFFIDAVIT

Valerie K. Nordberg and Jon Michael Kleymann, as co-trustees of the Priscilla Kleymann Revocable Trust, dated October 29, 1999, grantors, acting pursuant to the powers granted by the trust, do hereby grant, bargain, sell and convey unto T Bar J Land Investments, LLC, a Colorado limited liability company, the real estate located in Greeley County, Kansas, as more fully described on **Exhibit A**, attached hereto and incorporated herein by reference, subject to easements, restrictions, reservations, and oil and gas leases of record but reserving to grantor any and all irrigation water rights and rights to appropriate ground water.

TO HAVE AND TO HOLD the above described premises, together with the appurtenances and hereditaments thereunto appertaining, and every part thereof under the said grantee as above stated.

Grantors, being first duly sworn and under oath, state of their personal knowledge, that they are the co-trustees of the above referenced trust to which the above described real estate was conveyed pursuant to a deed filed November 8, 1999, and duly recorded in book 117 at page 427 in the office of the Register of Deeds of Greeley County, Kansas. The Priscilla Kleymann Revocable Trust was a revocable trust during the lifetime of Priscilla Kleymann but became irrevocable upon the death of Priscilla Kleymann on April 10, 2015. Priscilla Kleymann was the settlor of the trust. Jon Michael Kleymann and Valerie K. Nordberg are now the co-trustees under the said trust and all amendments thereto and are authorized to convey the above described real estate without any qualification whatsoever. Grantors covenant that the trust remains in full force and effect at this time, and that co-trustees have authorization without limitation to grant and convey all of the above described real estate.

Dated this 17 day of February, 2017.

Valerie K. Nordberg, trustee

Valerie K. Nordberg, co-trustee of the
 Priscilla Kleymann Revocable Trust

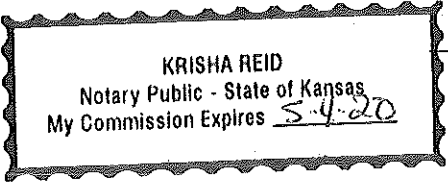
Jon Michael Kleymann, trustee

Jon Michael Kleymann, co-trustee of the
 Priscilla Kleymann Revocable Trust

STATE OF KANSAS, COUNTY OF SEDGWICK, ss:

This instrument was acknowledged before me this 17 day of February, 2017, by Valerie K. Nordberg, co-trustee of the Priscilla Kleymann Revocable Trust dated October 29, 1999, on behalf of the trust.

Krishna Reid



Notary Public *Krishna Reid*
My Appointment Expires: *5-4-20*

STATE OF KANSAS, COUNTY OF GREELEY, ss:

This instrument was acknowledged before me this 6th day of March, 2017, by Jon Michael Kleymann, co-trustee of the Priscilla Kleymann Revocable Trust dated October 29, 1999, on behalf of the trust.



Joyce E Huddleston

Notary Public
My Appointment Expires: *9-17-2018*

EXHIBIT A

The Northeast Quarter (NE/4) of Section Fourteen (14),
Township Seventeen (17) South, Range Thirty-nine (39) West
of the Sixth (6th) Principal Meridian, Greeley County, Kansas.

AND

The West Half (W/2) of Section Thirteen (13), Township Seventeen (17) South,
Range Thirty-nine (39) West of the Sixth (6th) Principal Meridian,
Greeley County, Kansas.

State of Kansas, Greeley County, ss
 This instrument was filed for Record on the
7th day of March A.D. 2017 at 8:00
 o'clock A.M. and duly recorded in Book 182
 on page 35-37 fees \$ 46.00
Xenia K. Robertson
 Register of Deeds



Entered in Transfer Record _____
 in my office this 7th day of
 of March, 2017.
Samantha K. Steele Deputy
 County Clerk

TRUSTEE'S DEED WITH AFFIDAVIT

Valerie K. Nordberg, as trustee of the Kleymann Family Marital Trust, a trust created pursuant to the provisions of the agreement of the Leo R. Kleymann Trust dated October 29, 1999, grantor, acting pursuant to the powers granted by the trust, does hereby grant, bargain, sell and convey unto T Bar J Land Investments, LLC, a Colorado limited liability company, the real estate located in Greeley County, Kansas, as more fully described on **Exhibit A**, attached hereto and incorporated herein by reference, subject to easements, restrictions, reservations, and oil and gas leases of record but reserving to grantor any and all irrigation water rights and rights to appropriate ground water.

TO HAVE AND TO HOLD the above described premises, together with the appurtenances and hereditaments thereunto appertaining, and every part thereof under the said grantee as above stated.

Valerie K. Nordberg, being first duly sworn and under oath, states of her personal knowledge, that she is the trustee of the above referenced trust to which the above described real estate was conveyed pursuant to a deed filed April 12, 2012, and duly recorded in book 59 at page 141-142 in the office of the Register of Deeds of Greeley County, Kansas. The Kleymann Family Marital Trust is an irrevocable trust. Leo R. Kleymann was the grantor of the Leo R. Kleymann Revocable Trust. The Kleymann Family Marital Trust was a trust created pursuant to the provisions of the agreement of the Leo R. Kleymann Trust dated October 29, 1999. Valerie K. Nordberg, as trustee, is authorized to convey the above described real estate without any qualification whatsoever. Valerie K. Nordberg covenants that the trust remains in full force and effect at this time, and that trustee has authorization without limitation to grant and convey all of the above described real estate.

Dated this 17 day of February, 2017.

Valerie K. Nordberg, trustee

**Valerie K. Nordberg, trustee of the
 Kleymann Family Marital Trust**

STATE OF KANSAS, COUNTY OF SEDGWICK, ss:

This instrument was acknowledged before me this 17 day of February, 2017, by Valerie K. Nordberg, trustee of the Kleymann Family Marital Trust dated October 19, 1999, on behalf of

the trust.



Notary Public *Krisha Reid*

My Appointment Expires: *5-4-20*

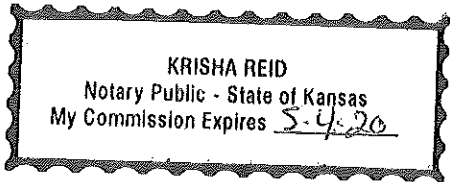


EXHIBIT A


The Northeast Quarter (NE/4) of Section Fourteen (14),
Township Seventeen (17) South, Range Thirty-nine (39) West
of the Sixth (6th) Principal Meridian, Greeley County, Kansas.

AND

The West Half (W/2) of Section Thirteen (13), Township Seventeen (17) South,
Range Thirty-nine (39) West of the Sixth (6th) Principal Meridian,
Greeley County, Kansas.

Numerica
 in Counter

State of Kansas, Greeley County, ss
 This instrument was filed for Record on the
3 day of January A.D. 2017 at 3:30
0'clock P. M. and duly recorded in Book 181
 on page 244-246 fees \$ 46.00
Margen R Myers, Deputy
 Register of Deeds



Entered in Transfer Record _____
 in my office this 3 day of
 of January, 2017.

Samantha Steele, Deputy
 County Clerk

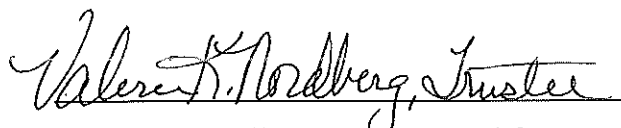
TRUSTEES' DEED WITH AFFIDAVIT

Valerie K. Nordberg and Jon Michael Kleymann, as co-trustees of the Priscilla Kleymann Revocable Trust, dated October 29, 1999, grantors, acting pursuant to the powers granted by the trust, do hereby grant, bargain, sell and convey unto T Bar J Land Investments, LLC, a Colorado limited liability company, the real estate located in Greeley County, Kansas, as more fully described on **Exhibit A**, attached hereto and incorporated herein by reference, subject to easements, restrictions, reservations, and oil and gas leases of record but reserving to grantor any and all irrigation water rights and rights to appropriate ground water.

TO HAVE AND TO HOLD the above described premises, together with the appurtenances and hereditaments thereunto appertaining, and every part thereof under the said grantee as above stated.

Grantors, being first duly sworn and under oath, state of their personal knowledge, that they are the co-trustees of the above referenced trust to which the above described real estate was conveyed pursuant to a deed filed November 8, 1999, and duly recorded in book 117 at page 427 in the office of the Register of Deeds of Greeley County, Kansas. The Priscilla Kleymann Revocable Trust was a revocable trust during the lifetime of Priscilla Kleymann but became irrevocable upon the death of Priscilla Kleymann on April 10, 2015. Priscilla Kleymann was the settlor of the trust. Jon Michael Kleymann and Valerie K. Nordberg are now the co-trustees under the said trust and all amendments thereto and are authorized to convey the above described real estate without any qualification whatsoever. Grantors covenant that the trust remains in full force and effect at this time, and that co-trustees have authorization without limitation to grant and convey all of the above described real estate.

Dated this 29 day of December, 2016.



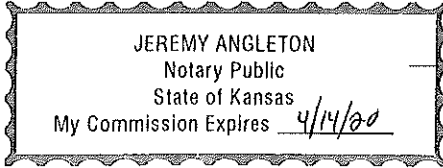
Valerie K. Nordberg, co-trustee of the
 Priscilla Kleymann Revocable Trust

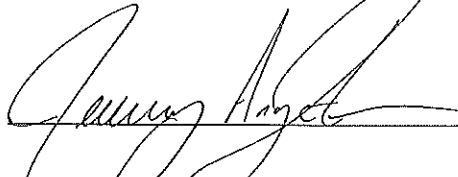


Jon Michael Kleymann, co-trustee of the
 Priscilla Kleymann Revocable Trust

STATE OF KANSAS, COUNTY OF SEDGWICK, ss:

This instrument was acknowledged before me this 29 day of Dec, 2016, by Valerie K. Nordberg, co-trustee of the Priscilla Kleymann Revocable Trust dated October 29, 1999, on behalf of the trust.





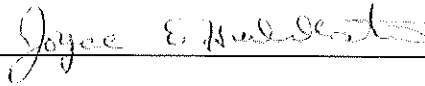
Notary Public

My Appointment Expires: 4/14/20

STATE OF KANSAS, COUNTY OF GREELEY, ss:

This instrument was acknowledged before me this 3 day of January, 2017, by Jon Michael Kleymann, co-trustee of the Priscilla Kleymann Revocable Trust dated October 29, 1999, on behalf of the trust.





Notary Public

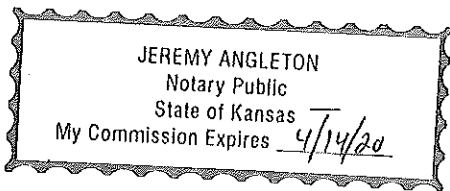
Notary Public

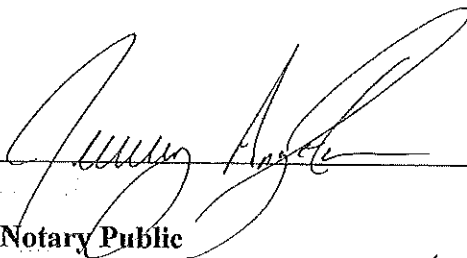
My Appointment Expires: 9-17-2018

EXHIBIT A

An undivided one-half interest in and to the northwest quarter (NW/4) of section twenty-four (24), township seventeen (17) south, range thirty-nine (39) West of the 6th P.M., Greeley County, Kansas.

the trust.




Notary Public

My Appointment Expires: 4/14/20

EXHIBIT A

An undivided one-half interest in and to the Northwest Quarter (NW/4) of Section Twenty-four (24), Township Seventeen (17) South, Range Thirty-nine (39) West of the 6th P.M., Greeley County, Kansas.