

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/D WORKSHEET

1. File Number: 14269	2. Status Change Date: 6/8/18	3. Change Num: C3	4. Field Office: 04	5. GMD: 03
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 5/29/18
--	---

8a. Applicant(s) New to system <input type="checkbox"/>	Person ID 57279 Add Seq# 1
VAUGHN NIGHTENGALE 1452 ROAD W LAKIN KS 67860	

8c. Landowner(s) New to system <input type="checkbox"/>	Person ID 55237 Add Seq# 1
FRED RITSEMA & YOKA RODENHUIS TRUSTS LAKIN DAIRY PO BOX 389 LAKIN KS 67860-0389	

8b. Landowner(s) New to system <input type="checkbox"/>	Person ID 62677 Add Seq# 1
YOST FARMS 1142 RD AA LAKIN KS 67860	

8d. WUC New to system <input type="checkbox"/>	Person ID 62677 Add Seq# 1
YOST FARMS 1142 RD AA LAKIN KS 67860	

9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/18 <input checked="" type="checkbox"/> N & P Date to Comply: 12/31/18	
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter	
<input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____	

10. Use Made of Water From: _____	To: _____
--------------------------------------	-----------

Date Prepared: 6/5/18	By: TPM
Date Entered: _____	By: _____

File No. **14269** 11. County: **KE** Basin: **ark** Stream: _____ Formation Code: **211/331** Special Use: _____

12. Points of Diversion
 Rate and Quantity
 Authorized Additional
 Rate Quantity Rate Quantity
 gpm/cfs af/mgy gpm/cfs af/mgy
 Comment (AKA Line) 'W 'N 'W 1361 1055
 sw ne se 21 25 36w
 ent

del 41465

13. Storage: Rate _____ NF _____ Quantity _____ ac/ft Additional Rate _____ NF _____ Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use CHK MOD DEL ENT	P U S E	S T R I D	NE 1/4			NW 1/4			SW 1/4			SE 1/4			Total	Owner	Chg?	Overlap Files
			NE 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					
17786	15	25	36W												8b	Yes	14218 14267 14268 14269 14270 14272 14277 14278 14285	
839	20	25	36W												8b	yes		
16273	21	25	36W												8b	yes		
11981	22	25	36W												8b	yes		
6081	27	25	36W												8b	yes		
15940	28	25	36w	40	40	40	40	40	40	40	40	40	40	320	8b	yes		

File No. **14269** 11. County: Basin: Stream: Formation Code: Special Use:

12. Points of Diversion
 CHK MOD DEL ENT PDIV Qualifier S T R ID 'N 'W Comment (AKA Line) Rate and Quantity
 Authorized Additional
 Rate Quantity Rate Quantity
 gpm/cfs af/mgy gpm/cfs af/mgy Overlap PD Files

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use CHK MOD DEL ENT	PURSE	S	T	R	ID	NE 1/4			NW 1/4			SW 1/4			SE 1/4			Total	Owner	Chg?	Overlap Files
						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				
ENT		28	25	36W				40	31	40	40	40	40	40	40	40	311	8c	yes		
		37671	29	25	36W													8b	yes		

Base Acres: _____ Year: _____ Minimum Reasonable Quantity: _____
 Comments: _____

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
GARDEN CITY FIELD OFFICE
2508 JOHNS STREET
GARDEN CITY, KS 67846-2804



PHONE: (620) 276-2901
FAX: (620) 276-9315
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

June 8, 2018

YOST FARMS
1142 RD AA
LAKIN KS 67860

RE: Change in Point of Diversion Water Right, File No 14269

Dear Mr. Nightengale:

Enclosed you will find a *Summary Order Approving Application for Change in Points of Diversion* for the above referenced file. This order modifies the authorized well location under the referenced file. This order modifies the original document; it should be recorded at the County Register of Deeds.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this order. The diversion works should be completed and reported to the Division of Water Resources by **December 31, 2018**. Enclosed is a form for this purpose, along with other information for reference.

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.

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. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas P. Makens", written over a horizontal line.

Thomas P. Makens
Assistant Water Commissioner

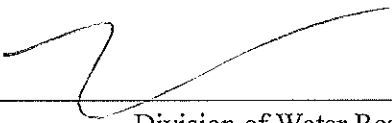
TPM:tpm
Enclosures
GMD#3

CERTIFICATE OF SERVICE

On this 11th day of June 2018, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 14269 dated June 8, 2018 was mailed postage prepaid, first class, US mail to the following:

YOST FARMS
1142 RD AA
LAKIN KS 67860

Copy provided to GMD#3



Division of Water Resources

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.

RECEIVED
 10:38 AM
 MAY 29 2018

File No. 14269

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: Vaughn Nightengale
1452 road w lakinn ks 67860
 Phone Number: (620)874-1579 Email address: _____
 Name and address of Water Use Correspondent: Yost Farms
1142 Raod aa lakin ks 67860
 Phone Number: () Email address: _____

3. The presently authorized place of use is:
 Owner of Land ----- NAME: Yost Farms
 ADDRESS: 1142 road aa lakin ks 67860
 (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	

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: no change to irrigated acres
 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	

For Office Use Only: Code _____ Fee \$ 100 TR # _____ Receipt Date 5/29/18 Check # 3738

5. **Presently authorized point of diversion:**
 One in the NW Quarter of the SE Quarter of the SE Quarter of Section 21, Township 1292 25 1311 South, Range 36 W, in Kearny County, Kansas, 1675 feet North 1315 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
 (DWR use only: Computer ID No. _____ GPS 1292 feet North 1173 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 sw Quarter of the ne Quarter of the se Quarter of Section 21, Township 25 South, Range 36 W, in Kearny County, Kansas, 1361 feet North 1055 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 RECEIVED

6. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range Garden City Field Office (EW), 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 _____ (EW), 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) _____
old well needs to be replaced

8. If a well, is the test hole log attached? Yes No

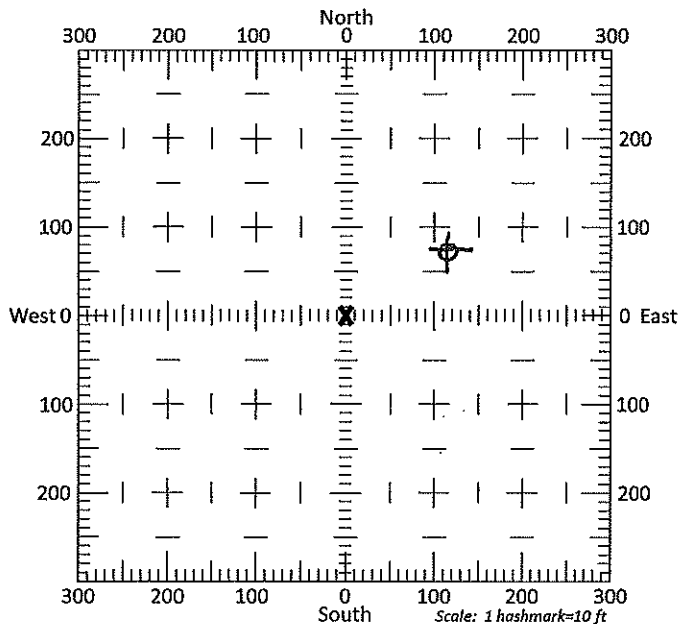
9. The change(s) (was)(will be) completed by?
June 1, 2018

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
plug
 (b) When will this be done? 2018

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by tpm

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.)

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:

RECEIVED

MAY 29 2018

- (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.)

Garden City Field Office
Division of Water Resources

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 Garden City, Kansas, this 29th day of May, 2018.

[Signature]

 (Owner)

 (Please Print)

 (Owner)

 (Please Print)

 (Owner)

 (Please Print)

 (Spouse)

 (Please Print)

 (Spouse)

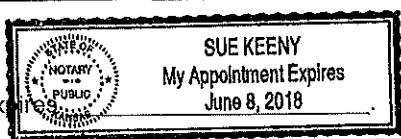
 (Please Print)

 (Spouse)

 (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 29th day of May, 2018.



[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

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. 14269.

1. A change application was received on MAY 29, 2018 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 50 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, 2018, 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, 2018, or within any authorized extension of time. By March 1, 2019 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: TLA
Duly Authorized Designee of the Chief Engineer

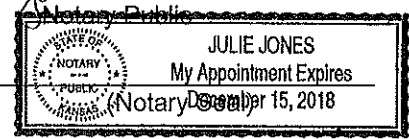
(Print Name): THOMAS P. MAKENS
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: JUNE 8, 2018

State of Kansas)
County of Finney) SS

Acknowledged before me on June 8, 2018
by Thomas P. Makens

Signature: Julie Jones



My commission expires: _____

RECEIVED

MAY 21 2018

GSPF IRRIGATION SERVICE

710 W Taylor Jones Rd

Holcomb, KS 67851

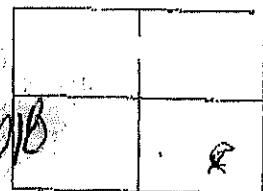
Phone: 620-277-2503

Fax: 620-277-2581

Garden City Field Office
Division of Water Resources

Customer Name: Vaughn Nitengale

Date: 5/17/2018



Address:

Test # 2 EAST E LOR YES -DDI

City & state

Driller: Dana Vogts

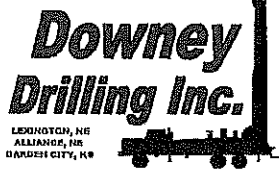
County Leary Quarter SE Section: 21 Township: 25 Range: 36

Location: N 37.8611482 W 101.2713920 Elev: 3085

N 37.8611482 W 101.2713920 Right# _____ Well# _____

%	From	Pay	To	Description of Strata	Static Water Level	Proposed Well Depth
	0		2	Sandy top soil		
	2		8	Fine sand		
	8		12	Sandy clay	6 1/4 Drag Blade	
	12		26	Sand FMC	21 gell	
	26		37	Sand MC gravel	1 Soda Ash	
	37		58	Sand FMC	1# Ez mud	
	58		74	Sandy clay	6 hole Plug	
	74		84	Sand FMC gravel	1 Perma plug	
	84		93	Sandy clay / with fine-med sand strips		
	93		110	Sandy clay		
	110		121	Cemented sand ledge then Sand FMC + gravel		
	121		133	Sandy clay		
	133		138	Sand FMC gravel		
	138		145	Sandy clay		
	145		167	Sand FMC		12
	167		172	Sandy clay		
	172		198	Sand FMC and gravel		26
	198		238	Sand FMC some sandy clay strips		40
	238		254	Sandy clay		
	254		265	Sand FMC + gravel		11
	265		285	Sand FMC w/ few clay strips + white rock		20

APPROX
SWL 145'



14269

Well Design & Construction

PROPOSED
5/21/2018

Customer Name: VAUGHN NIGHTENGALE

Legal: SE 21-25S-36W

County: KEARNY

G.P.S.: 37.86120 N

Date:

101.27120 W

WO #:

DRILLER:

WATER SUPPLY: NEARBY IRRIGATION WELL

HELPER(S):

DRILLING RIG: M-100

BOREHOLE DIAMETER: 30"

DRILLING METHOD: REVERSE CIRCULATION

CASING DIAMETER: 16"

QUIKGEL: TBD

HOLE PLUG: 20+ FT.

TOTAL WELL DEPTH: 522'

GRAVEL: 100 TON #1 COARSE #1 FINE DW

DRILLING FLUID: TBD

GRAVEL SUPPLIER: HUBER

ADDITIONAL INFO: APPROX. STATIC WATER LEVEL = 145'

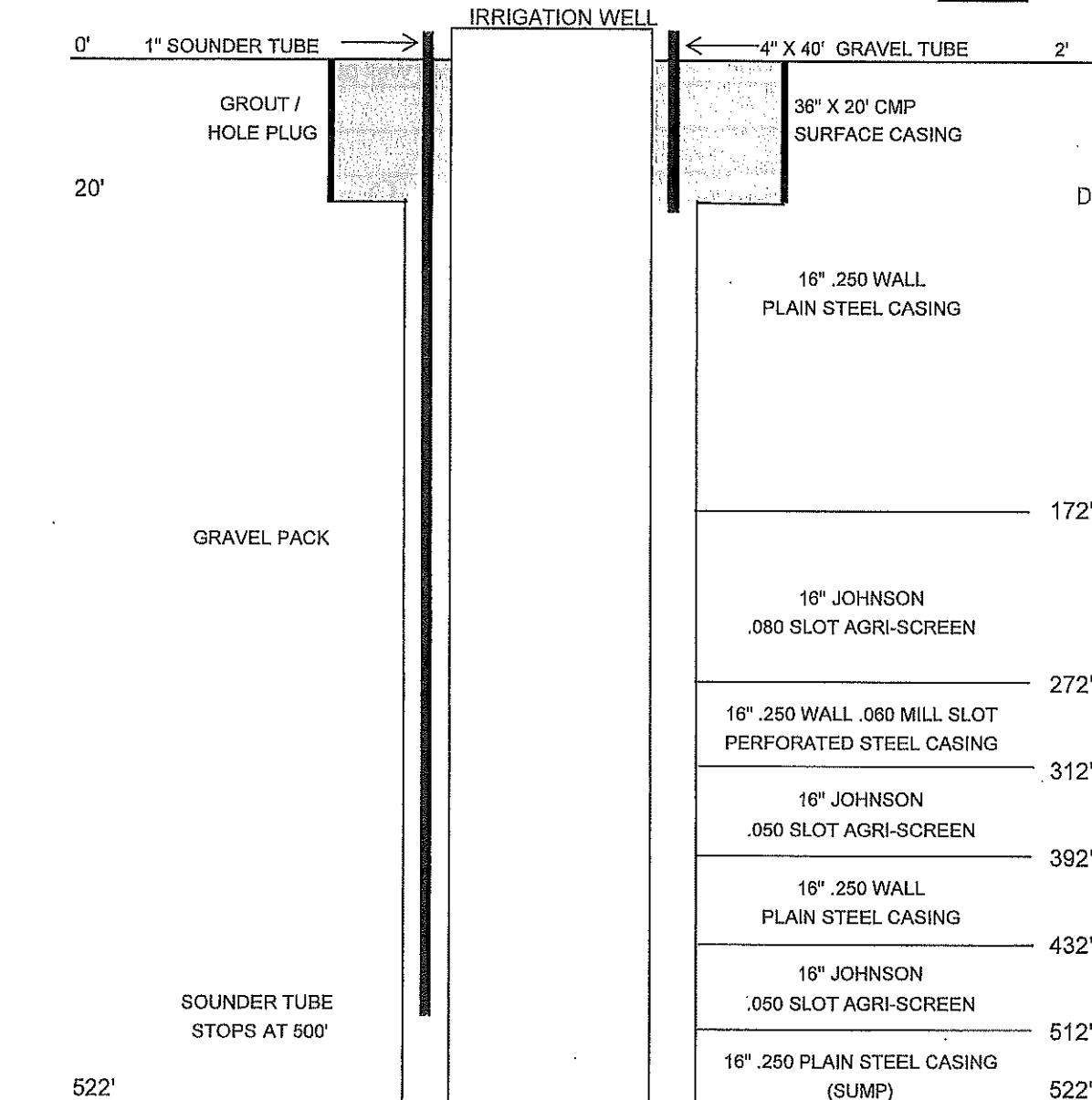
GROUT AND GRAVEL

SCREEN AND CASING

RECEIVED

MAY 21 2018

Garden City Field Office
Division of Water Resources



522'

522'

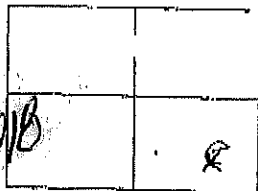
GSPF IRRIGATION SERVICE

710 W Taylor Jones Rd

Holcomb, KS 67851

Phone: 620-277-2503

Fax: 620-277-2581



Customer Name: Vaughn Nitengale

Date: 5/17/2018

Address: _____ Test # 2 EAST E LOG YES -DDI

City & state _____ Driller: Dana Vogts

County Kearny Quarter SE Section: 21 Township: 25 Range: 36

Location: N 37.8611482 W 101.2713920 Elev: 3085

N 37.8611482 W 101.2713920 Right _____ WOH _____

%	From	Pay	To	Description of Strata	Static Water Level Proposed Well Depth
	0		2	Sandy top soil	
	2		8	Fine sand	
	8		12	Sandy clay	6 1/4 Drag Blade
	12		26	Sand FMC	21 gell
	26		37	Sand MC gravel	1 Soda Ash
	37		58	Sand FMC	1# Ez mud
	58		74	Sandy clay	6 hole Plug
	74		84	Sand FMC gravel	1 Perma plug
	84		93	Sandy clay / with fine-med sand strips	
	93		110	Sandy clay	
	110		121	Cemented sand ledge then Sand FMC + gravel	
	121		133	Sandy clay	
	133		138	Sand FMC gravel	
	138		145	Sandy clay	
	145		167	Sand FMC	APPROX SWL 145'
	167		172	Sandy clay	12
	172		198	Sand FMC and gravel	26
	198		238	Sand FMC some sandy clay strips	40
	238		254	Sandy clay	
	254		265	Sand FMC + gravel	11
	265		285	Sand FMC w/ few clay strips + white rock	20

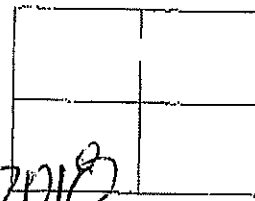
GSPF IRRIGATION SERVICE

710 W Taylor Jones Rd

Holcomb, KS 67851

Phone: 620-277-2503

Fax: 620-277-2581



Customer Name: Vaughn Nitengale

Date: 5/17/2018

Address:

Test # 2 EAST E Log

City & state

Driller:

County

Quarter

Section:

Township:

Range:

Location:

Elev:

Rig#

WO#

%	From	Pay	To	Description of Strata	Static Water Level	Proposed Well Depth
	285		293	Clay		
	293		315	Sand FMC some gravel		22
	315		325	Sand Fm w/ thin sandy clay strip		10
	325		330	Sluffy clay		
	330		335	Sand Fine Tight		5
	335		347	Clay		
	347		355	Sand FM		8
	355		363	Sandy clay		
	363		372	Sand F-M		9
	372		382	Clay		
	382		406	grey clay		
	406		412	Fine sand		
	412		447	Clay		
	447		452	Fine sand		5
	452		463	Clay		
	463		476	Clay layered w/ shale		
	476		500	Very Fine sand w/ few clay strips		24
						<u>198'</u>
				OGALLALA		163
				DAKOTA		35
						<u>198</u>

BOTTOM OGALLALA



TOP OF GRETACEOUS



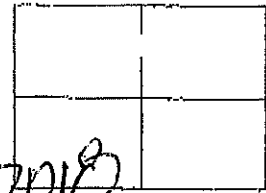
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GSPF IRRIGATION SERVICE

MAY 21 2018

710 W Taylor Jones Rd
Holcomb, KS 67851

Garden City Field Office Phone: 620-277-2503
Division of Water Resources Fax: 620-277-2581



Customer Name: Vaughn Nitengale

Date: 5/17/2018

Address:

Test # 2 EAST E Log

City & state

Driller:

County

Quarter

Section:

Township:

Range:

Location:

Elev:

Rig#

WO#

%	From	Pay	To	Description of Strata	Static Water Level	Proposed Well Depth
	285		293	Clay		
	293		315	Sand FMC some gravel		22
	315		325	Sand Fm w/ thin sandy clay strip		10
	325		330	Sluffy clay		
	330		335	Sand Fine Tight		5
	335		347	Clay		
	347		355	Sand Fm		8
	355		363	Sandy clay		
	363		372	Sand F-m		9
	372		382	Clay		
	382		406	grey clay		
	406		412	Fine sand		
	412		447	clay		
	447		452	Fine sand		5
	452		463	clay		
	463		476	Clay layered w/ shale		
	476		500	Very Fine sand w/ few clay strips		24
						<u>198</u>
				OGALLALA		103
				DAKOTA		35
						<u>198</u>

BOTTOM
 OGALLALA
 ↓
 ↑
 TOP OF
 GRETACEOUS

NIGHTENGALE / YOST

Legend

WEST TEST HOLE

EAST TEST HOLE



200 ft

Legend



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MAY 21 2018

Barstow City Field Office
Division of Water Resources

1000 ft

25

WEST TEST HOLE F

EAST TEST HOLE

NIGHTENGALE / YOST

Google Earth

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JAN 30 2018

UNITED STATES BANKRUPTCY COURT
DISTRICT OF KANSAS

Garden City Field Office
Division of Water Resources

<p>In re:</p> <p>BOEGEL FARMS, LLC; THREE BO'S, INC.; WARREN L. BOEGEL AND THE WARREN L. BOEGEL TRUST UTA 2-07-07 (REVOCABLE TRUST), WARREN L. BOEGEL, TRUSTEE</p> <p>DEBTORS.</p>	<p>CASE NO.: 17-10222-11 CHAPTER 11 Joint Administration (With Case Nos. 17-10221-11 & 17-10224-11)</p>
--	---

DEBTOR-IN-POSSESSION DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS on the 23rd day of February, 2017, Boegel Farms, LLC ("Boegel Farms") filed for bankruptcy protection in the United States Bankruptcy Court for the District of Kansas, Case No. 17-10222, Chapter 11. ("Debtor-in-Possession").

WHEREAS on the 24th day of February, 2017, Warren L. Boegel, as a single person, and The Warren L. Boegel Trust UTA 2-07-07 (Revocable Trust), Warren L. Boegel, Trustee ("Warren Boegel") filed for bankruptcy protection in the United States Bankruptcy Court for the District of Kansas, Case No. 17-10224, Chapter 11.

WHEREAS on the 2nd day of May 2017 the Bankruptcy Court ordered that the cases filed by Boegel Farms and Warren Boegel be jointly administered (Boegel Farms and Warren Boegel hereinafter referred to collectively as "Debtors-in-Possession").

WHEREAS, Debtors-in-Possession (specifically Boegel Farms as to Tracts 1, 2, and 3, and Warren Boegel as to Tracts 4, 5, 6, 7, 8, and 9) own the farm land located in Kearny County, Kansas, together with all buildings, fixtures, attachments, and appurtenances located thereon, with a legal description as follows (collectively "the Property"):

Tract 1:

The East Half of the Southeast Quarter (E/2 SE/4) of Section Twenty (20), Township Twenty-five (25) South, Range Thirty-six (36) West of the 6th P.M., in Kearny County, Kansas; The North Half of the North Half (N/2 N/2) and the Southeast Quarter of the Northeast Quarter (SE/4 NE/4) of Section Twenty (20), Township Twenty-five (25) South, Range Thirty-six (36) West of the 6th P.M., in Kearny County, Kansas; EXCEPT A parcel of land located in the North one-half of the North one-half of Section 20, Township 25 South, Range 36 West of the 6th P.M., in Kearny County, Kansas being further described as follows: Beginning at the Northeast corner of Section 20, T25S, R36W, thence S01°02'15"W on the East line of Section 20 for a distance of 161.26 feet; thence

JAN 30 2018

Garden City Field Office
Division of Water Resources

Southwesterly on a curve having a radius of 1,376.00 feet, a Chord Bearing of S49°23'39"W, a chord distance of 1,805.60 feet for an arc distance of 1,969.46 feet to a point on the South line of the North half of the Northeast quarter of Section 20; thence S89°15'51"W on said South line for a distance of 1,260.65 feet to the Southwest corner of the North half of the Northeast Quarter; thence S89°15'57"W on the South line of the North half of the Northwest Quarter for a distance of 2,610.75 feet to the Southwest corner of the North half of the Northwest Quarter; thence N01°31'23"E on the West line of the Northwest Quarter for a distance of 1,310.81 feet to the Northwest corner of Section 20; thence N89°10'08"E on the North line of the Northwest Quarter for a distance of 2,605.50 feet to the Northeast corner of the Northwest Quarter; thence N89°09'47"E on the North line of the Northwest Quarter of the Northeast Quarter for a distance of 1,302.54 feet to the Northeast corner of the Northwest Quarter of the Northeast Quarter; thence N89°10'08"E on the North line of the Northeast Quarter of the Northeast Quarter for a distance of 1,302.49 feet to the Point of Beginning; AND EXCEPT A parcel of land located in the East Half (E/2) of Section Twenty (20), Township Twenty-five (25) South, Range Thirty-six (36) West of the Sixth Principal Meridian, Kearny County, Kansas, being further described as follows: Commencing at the Southeast corner of Section 20, T25S, R36W, thence S89°31'28"W on the South line of the Southeast Quarter of Section 20 for a distance of 1,194.65 feet to the POINT OF BEGINNING; thence continuing S89°31'28"W on said South line for a distance of 119.10 feet to the Southwest corner of the East half of Section 20; thence N01°09'43"E on the West line of the East half of Section 20 for a distance of 3,600.77 feet; thence S11°29'07"E for a distance of 185.08 feet; thence S00°07'42"E for a distance of 1,929.95 feet; thence S08°16'24"W for a distance of 260.16 feet; thence S00°48'23"W for a distance of 283.97 feet; thence S08°09'53"E for a distance of 311.79 feet; thence S00°11'09"E for a distance of 637.70 feet to the POINT OF BEGINNING.

Tract 2:

The South Half (S/2) of Section Fifteen (15), Township Twenty-five (25) South, Range Thirty-six (36) West of the 6th P.M. in Kearny County, Kansas; EXCEPT a tract of land located in the South Half (S/2) of Section Fifteen (15), Township Twenty-five (25) South, Range Thirty-six (36) West of the 6th P.M., being further described as follows: Commencing at the East Quarter corner of Section 15, thence North 90°00'00" West (an assumed bearing) along the quarter section line for a distance of 2247.87 feet to a point on the West right-of-way line of U.S. Highway #25, said point also being the Point of Beginning, thence continuing North 90°00'00" West along said quarter section line for a distance of 542.34 feet; thence S00°00'00" West for a distance of 200.00 feet; thence S 90°00'00" East for a distance of 435.60 feet to a point on the West right-of-way line of U.S. Highway #25; thence Northeasterly along a non-tangential curve, concave Southeasterly, having a radius of 5133.79 feet, a central angle of 2°31'49" a chord bearing of North 28°05'20" East for an arc distance of 226.72 feet along the West right-of-way line of said highway to the Point of Beginning.

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Garden City Field Office
Division of Water Resources

Tract 3:

The East Half of the Northeast Quarter (E/2 NE/4) of Section Twenty-nine (29), Township Twenty-five (25) South, Range Thirty-six (36) West of the 6th P.M. in Kearny County, Kansas; EXCEPT A parcel of land located in the East half of the Northeast quarter (E/2 NE/4) of Section 29, Township 25 South, Range 36 West of the Sixth Principal Meridian, Kearny County, Kansas, being further described as follows; Commencing at the Northeast corner of Section 29, T25S, R36W, thence S89°31'28"W on the North line of the Northeast quarter of Section 29 for a distance of 1,194.65 feet to the POINT OF BEGINNING; thence S00°11'09"E for a distance of 1,495.03 feet; thence S58°16'42"E for a distance of 629.77 feet to a point on the Westerly right of way line of U.S. Highway #25; thence S43°11'12"W on said right of way line for a distance of 968.79 feet to a point on the West line of the East half of the NE quarter of Section 29; thence N00°04'36"E on the West line of the East half of the Northeast quarter of Section 29 for a distance of 2,531.53 feet to the Northwest corner of the East half of the Northeast quarter of Section 29; thence N89°31'28"E on the North line of the Northeast quarter of Section 29 for a distance of 119.10 feet to the POINT OF BEGINNING.

Tract 4:

All of Section Twenty-one (21), Township Twenty-five (25) South, Range Thirty-six (36) West of the 6th P.M. in Kearny County, Kansas; EXCEPT A parcel of land located in the Northwest Quarter of Section 21, Township 25 South, Range 36 West of the 6th P.M., in Kearny County, Kansas, being further described as follows: Beginning at the Northwest corner of Section 21, T25S, R36W, thence N89°18'13" E on the North line of Section 21 for a distance of 25.00 feet; thence S01°02'15"W for a distance of 161.97 feet; thence Westerly on a curve having a radius of 1,376.00 feet, a chord bearing of N89°04'56"W, a chord distance of 24.99 feet, for an arc distance of 24.99 feet to a point on the West line of Section 21; thence N01°02'15" E on said West line for a distance of 161.26 feet to the beginning.

14269

Tract 5:

All of Section Twenty-two (22), Township Twenty-five (25) South, Range Thirty-six (36) West of the 6th P.M. in Kearny County, Kansas.

Tract 6:

All of Section Twenty-four (24), Township Twenty-five (25) South, Range Thirty-six (36) West of the 6th P.M., Kearny County, Kansas.

#26065

Tract 7:

All of Section Twenty-seven (27), Township Twenty-five (25) South, Range Thirty-six (36) West of the 6th P.M. in Kearny County, Kansas.

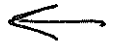
Tract 8:

All of Section Twenty-eight (28), Township Twenty-five (25) South, Range Thirty-six (36) West of the 6th P.M. in Kearny County, Kansas.

Tract 9:

A Tract of land in the Southeast Quarter (SE/4) of Section Twenty-three (23), Township Twenty-five (25) South, Range Thirty-six (36) West of the 6th P.M., Kearny County, Kansas, more particularly described as follows: Beginning at the Northeast corner of the Southeast Quarter (SE/4) of Section Twenty-three (23), thence South along the East line of said Southeast Quarter (SE/4) a distance of 250 feet; thence at a right angle of 90°, proceeding West a distance of 250 feet along a line parallel to the North line of said Southeast Quarter (SE/4) of Section Twenty-three (23); thence North at a right angle of 90°, a distance of 250 feet more or less, to the North line of the Southeast Quarter (SE/4) of Section Twenty-three (23); thence proceeding East along the North line of said Section Twenty-three (23) a distance of 250 feet to the point of beginning.

WHEREAS, on November 16, 2017, Debtors-in-Possession filed their Motion for Order authorizing Sale of Real Property Free and Clear of Liens by Private Sale Subject to Overbid, Bankruptcy Doc. No. 173 (the "Motion"), which provided for the Property to be sold to the Fred M. Ritsema Trust Dated February 13, 2004 and the Yoka A. Rodenhuis Trust Dated February 13, 2004 (collectively "Buyers").



WHEREAS, no other potential buyers submitted an offer on the Property in excess of the offer submitted by the Buyers.

WHEREAS on December 27, 2017, the Bankruptcy Court entered its Order Granting the Motion, Bankruptcy Doc. No. 194 ("the Order"), authorizing Debtors-in-Possession to sell the Property to Buyers free and clear of all liens.

WHEREAS, Debtors-in-Possession have sold the Property to Buyers in exchange for the purchase price of \$8,000,000.00, subject to the terms and conditions contained in the Agricultural Land Real Estate Contract.

NOW THEREFORE, Debtors-in-Possession do hereby grant, bargain, sell and convey unto Buyers, free and clear of liens and encumbrances excepting only the real property taxes owed to Kearney County, Kansas and certain easements as set forth in more detail in the Motion, Order, and Title Insurance Policy issued in connection herewith, all of Debtors-in-Possession's right, title and interest in and to the Property.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands this 4th day of January, 2018.

Jack O. Boegel
Boegel Farms, LLC
By: Jack Boegel
Its Managing Member

Warren Boegel
Warren L. Boegel, as a single person

Warren Boegel
Warren L. Boegel, as Trustee of
The Warren L. Boegel Trust UTA 2-07-07 (Revocable Trust)

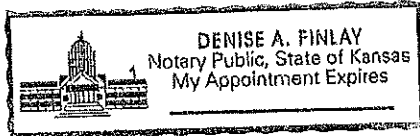
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JAN 30 2018

Garden City Field Office
Division of Water Resources

STATE OF KANSAS, COUNTY OF KEARNY, ss:

The foregoing Debtor-In-Possession Deed was acknowledged before me this 4th Day of January, A.D. 2018 by, Jack Boegel, managing member of Boegel Farms, LLC, personally known to be the person described in the foregoing instrument.

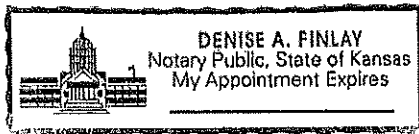


Denise A. Finlay
Notary Public

My appointment expires: 12-17-18

STATE OF KANSAS, COUNTY OF KEARNY, ss:

The foregoing Debtor-In-Possession Deed was acknowledged before me this 4th Day of January, A.D. 2018 by, Warren L. Boegel, a single person and Warren L. Boegel, as Trustee of The Warren L. Boegel Trust UTA 2-07-07 (Revocable Trust), personally known to be the person described in the foregoing instrument.



Denise A. Finlay
Notary Public

My appointment expires: 12-17-18

STATE OF KANSAS } ss
KEARNY COUNTY

This instrument was filed for record on the 5th day of January A.D. 2018 at 2:46 o'clock P. M., and duly recorded in Book 284 of Record, at Page 299



INDEXED
RECEPTION ✓
COMPUTER ✓
DIRECT C
INDIRECT
NUMERICAL ✓
ORIG. COMPL ✓

Entered in Transfer Record in my Office this 5th day of January A.D. 2018
Debra Ann Dugan
County Clerk

Melissa Gessitzen
REGISTER OF DEEDS
By _____ Deputy

Rec. Fee \$ 89.00

TRUSTEE'S DEED

This indenture made this 4th day of January, 2018 by and between

Fred M. Ritsema Trust dated February 13, 2004

And

Yoka A. Rodenhuis Trust dated February 13, 2004

Grantor(s), and

Yost Farms, a Kansas Partnership

Grantee(s)

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FEB 14 2018

Garden City Field Office
Division of Water Resources

The Grantor, by virtue of the terms and provisions of said trust agreement, in consideration of the sum of TEN DOLLARS and other valuable consideration, do(es) hereby grant and convey to Grantee all the following described REAL ESTATE in the County of Kearny and the State of Kansas, to-wit:

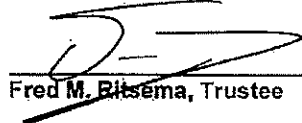
The East Half of the Southeast Quarter (E/2 SE/4) of Section Twenty (20), Township Twenty-five (25) South, Range Thirty-six (36) West of the 6th P.M., in Kearny County, Kansas; The North Half of the North Half (N/2 N/2) and the Southeast Quarter of the Northeast Quarter (SE/4 NE/4) of Section Twenty (20), Township Twenty-five (25) South, Range Thirty-six (36) West of the 6th P.M., in Kearny County, Kansas; EXCEPT A parcel of land located in the North one-half of the North one-half of Section 20, Township 25 South, Range 36 West of the 6th P.M., in Kearny County, Kansas being further described as follows: Beginning at the Northeast corner of Section 20, T25S, R36W, thence S01°02'15"W on the East line of Section 20 for a distance of 161.26 feet; thence Southwesterly on a curve having a radius of 1,376.00 feet, a Chord Bearing of S49°23'39"W, a chord distance of 1,805.60 feet for an arc distance of 1,969.46 feet to a point on the South line of the North half of the Northeast quarter of Section 20; thence S89°15'51"W on said South line for a distance of 1,260.65 feet to the Southwest corner of the North half of the Northeast Quarter; thence S89°15'57"W on the South line of the North half of the Northwest Quarter for a distance of 2,610.75 feet to the Southwest corner of the North half of the Northwest Quarter; thence N01°31'23"E on the West line of the Northwest Quarter for a distance of 1,310.81 feet to the Northwest corner of Section 20; thence N89°10'08"E on the North line of the Northwest Quarter for a distance of 2,605.50 feet to the Northeast corner of the Northwest Quarter; thence N89°09'47"E on the North line of the Northwest Quarter of the Northeast Quarter for a distance of 1,302.54 feet to the Northeast corner of the Northwest Quarter of the Northeast Quarter; thence N89°10'08"E on the North line of the Northeast Quarter of the Northeast Quarter for a distance of 1,302.49 feet to the Point of Beginning; AND EXCEPT A parcel of land located in the East Half (E/2) of Section Twenty (20), Township Twenty-five (25) South, Range Thirty-six (36) West of the Sixth Principal Meridian, Kearny County, Kansas, being further described as follows: Commencing at the Southeast corner of Section 20, T25S, R36W, thence S89°31'28"W on the South line of the Southeast Quarter of Section 20 for a distance of 1,194.65 feet to the POINT OF BEGINNING; thence continuing S89°31'28"W on said South line for a distance of 119.10 feet to the Southwest corner of the East half of Section 20; thence N01°09'43"E on the West line of the East half of Section 20 for a distance of 3,600.77 feet; thence S11°29'07"E for a distance of 185.08 feet; thence S00°07'42"E for a distance of 1,929.95 feet; thence S08°16'24"W for a distance of 260.16 feet; thence S00°48'23"W for a distance of 283.97 feet; thence S08°09'53"E for a distance of 311.79 feet; thence S00°11'09"E for a distance of 637.70 feet to the POINT OF BEGINNING.

EXCEPT AND SUBJECT TO: easements, rights of way, oil and gas leases, reservations and restrictions of record, if any.

The Grantors warrants that, in their capacity as Trustees of the aforesaid Trust dated February 13, 2004, they are duly authorized to convey and transfer the above described property by virtue of the powers granted to them by said Trust Agreements; further warrants that said Trust Agreements remains in full force and effect; and that the provisions thereof pertaining to the Trustee's power to convey the property hereinabove described have not been revoked or amended as of the date of the execution of this Deed.

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FEB 14 2018


Fred M. Ritsema Trust dated February 13, 2004

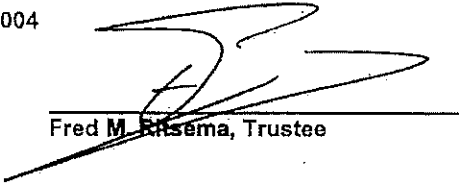

Fred M. Ritsema, Trustee


Yoka A. Rodenhuis, Trustee

Garden City Field Office
Division of Water Resources

Yoka A. Rodenhuis Trust dated February 13, 2004

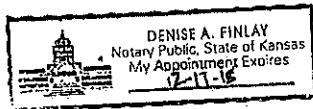

Yoka A. Rodenhuis, Trustee

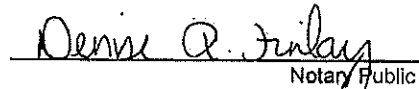

Fred M. Ritsema, Trustee

STATE OF KANSAS, COUNTY OF KEARNY, ss:

This instrument was acknowledged before me on this 4th day of January, 2018, by Fred M. Ritsema and Yoka A. Rodenhuis as Trustees of the Fred M. Ritsema Trust dated February 13, 2004 and Yoka A. Rodenhuis and Fred M. Ritsema as Trustees of the Yoka A. Rodenhuis Trust dated February 13, 2004.

(seal)




Notary Public

Printed Name: Denise A. Finlay

My Appointment Expires: 12-17-18

STATE OF KANSAS } ss
KEARNY COUNTY }

This instrument was filed for record on the
12th day of January, A.D. 2018, at
10:20 o'clock A.M., and duly recorded in
Book 284 of Record, at Page 378

Melissa Geritzen
REGISTER OF DEEDS
By _____ Deputy
Rec. Fee \$ 55.00



Entered in Transfer Record in my Office this
12th day of January, A.D. 2018
Jane Jensen
County Clerk

INDEXED
RECEPTION
COMPUTER
DIRECT
INDIRECT
NUMERICAL
DRUG COMP

