

1320 Research Park Drive
Manhattan, Kansas 66502
785-564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
785-296-3556

Secretary Jackie McClaskey

Governor Jeff Colyer, M.D.

February 15, 2018

FRED RITSEMA & YOKA RODENHUIS TRUSTS
LAKIN DAIRY
PO BOX 389
LAKIN KS 67860-0389

RE: Change in Point of Diversion Water Right, File No 26065

Dear Mr. Ritsema and Ms Rodenhuis:

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

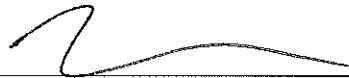
TPM:tpm
Enclosures
GMD#3

CERTIFICATE OF SERVICE

On this 16th day of February 2018, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 26065 dated February 15, 2018 was mailed postage prepaid, first class, US mail to the following:

FRED RITSEMA & YOKA RODENHUIS TRUSTS
LAKIN DAIRY
PO BOX 389
LAKIN KS 67860-0389

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) 862-6300
 Stafford -- (620) 234-5311
 Stockton -- (785) 425-6787
 Garden City -- (620) 276-2901
www.ksda.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
 4:44 pm
 JAN 30 2018

File No. 26065

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both): Garden City Field Office
Division of Water Resources

Place of Use Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is: Groundwater Surface water

2. Name and address of Applicant: LAKIN DAIRY % FRED RITSEMA & YOKA RODENHUIS TRUSTS

PO BOX 389 LAKIN KS 67860-0389

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: LAKIN DAIRY % FRED RITSEMA & YOKA RODENHUIS TRUSTS

PO BOX 389 LAKIN KS 67860-0389

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: LAKIN DAIRY % FRED RITSEMA & YOKA RODENHUIS TRUSTS

ADDRESS: PO BOX 389 LAKIN KS 67860-0389

(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 acres irrigated

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 \$ <u>200</u> TR # _____ Receipt Date <u>1/30/18</u> Check # <u>0988</u>
--

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ nc _____ Quarter of the _____ nw _____ Quarter
 of Section _____ 24 _____, Township _____ 25 _____ South, Range _____ 36 _____ W,
 in Kearny _____ County, Kansas, _____ 3960 _____ feet North _____ 3960 _____ feet West of Southeast corner of section.
 Authorized Rate _____ 900 _____ Authorized Quantity _____ 260 _____ Depth of well _____ (feet)
 (DWR use only: Computer ID No. 2 _____ GPS _____ 3976 _____ feet North _____ 4239 _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ se _____ Quarter of the _____ sw _____ Quarter of the _____ nw _____ Quarter
 of Section _____ 24 _____, Township _____ 25 _____ South, Range _____ 36 _____ W,
 in Kearny _____ County, Kansas, _____ 3262 _____ feet North _____ 4081 _____ feet West of Southeast corner of section.
 Proposed Rate _____ nc _____ Proposed Quantity _____ nc _____ Proposed well depth (feet) _____ 573 _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

6. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ nc _____ Quarter of the _____ ne _____ Quarter
 of Section _____ 24 _____, Township _____ 25 _____ South, Range _____ 36 _____ W,
 in Kearny _____ County, Kansas, _____ 3940 _____ feet North _____ 1320 _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
 (DWR use only: Computer ID No. 1 _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

7. Why do you need a new point of diversion? _____
 old well needs to be replaced _____

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

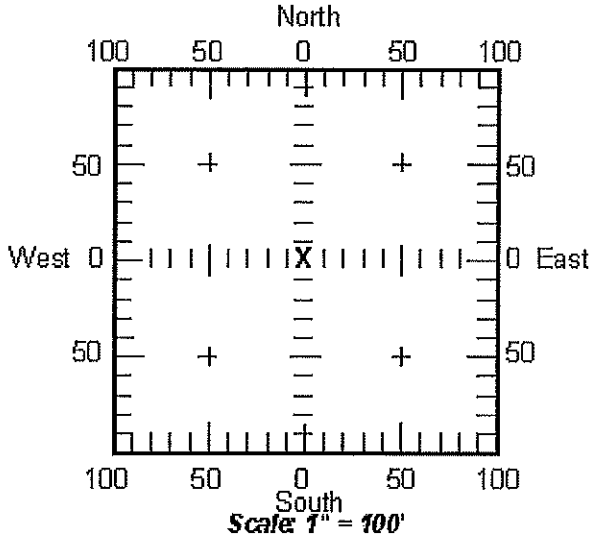
9. When do you propose to complete the new point of diversion?
 February 26, 2018 _____

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 within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from 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.

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 26065

Presently authorized point of diversion:

One in the _____ Quarter of the _____ Quarter of the _____ Quarter
of Section 24, Township 25 South, Range 36 W,
in Kearny County, Kansas, 1303 feet North 4025 feet West of Southeast corner of section.
Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 5 GPS _____ feet North _____ feet West)

This point will not be changed This point will be changed as follows:

Proposed point of diversion: (Complete only if change is requested)

One in the _____ Quarter of the _____ Quarter of the _____ Quarter
of Section _____, Township _____ South, Range _____ (E/W),
in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
This point is: Additional Well Geo Center List other water rights that will use this point _____

Presently authorized point of diversion:

One in the _____ Quarter of the _____ Quarter of the _____ Quarter
of Section 24, Township 25 South, Range 36 W,
in Kearny County, Kansas, 1415 feet North 1575 feet West of Southeast corner of section.
Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 6 GPS _____ feet North _____ feet West)

This point will not be changed This point will be changed as follows:

Proposed point of diversion: (Complete only if change is requested)

One in the _____ Quarter of the _____ Quarter of the _____ Quarter
of Section _____, Township _____ South, Range _____ (E/W),
in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
This point is: Additional Well Geo Center List other water rights that will use this point _____

Presently authorized point of diversion:

One in the _____ Quarter of the _____ Quarter of the _____ Quarter
of Section _____, Township _____ South, Range _____ (E/W),
in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)

This point will not be changed This point will be changed as follows:

Proposed point of diversion: (Complete only if change is requested)

One in the _____ Quarter of the _____ Quarter of the _____ Quarter
of Section _____, Township _____ South, Range _____ (E/W),
in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
This point is: Additional Well Geo Center List other water rights that will use this point _____

Presently authorized point of diversion:

One in the _____ Quarter of the _____ Quarter of the _____ Quarter
of Section _____, Township _____ South, Range _____ (E/W),
in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)

This point will not be changed This point will be changed as follows:

Proposed point of diversion: (Complete only if change is requested)

One in the _____ Quarter of the _____ Quarter of the _____ Quarter
of Section _____, Township _____ South, Range _____ (E/W),
in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
This point is: Additional Well Geo Center List other water rights that will use this point _____

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. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 *et. seq.* With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 26065.

1. A change application was received on January 30, 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 300 foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. 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
5. 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
6. **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
7. **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
8. **The completed well log shall be submitted with the required notice.** Applicable Not Applicable
9. 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
10. Additional Conditions are attached. Yes No
11. 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

You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the **Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 109 SW 9th Street, Topeka, Kansas 66612**, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day after the date shown on the Certificate of Service.

For Use by Register of Deeds

FOR OFFICE USE ONLY
APPLICATION APPROVED AND SUMMARY ORDER ISSUED

By: _____
Duly Authorized Designee of the Chief Engineer

(Print Name): Thomas P Makens
Division of Water Resources - Kansas Department of Agriculture

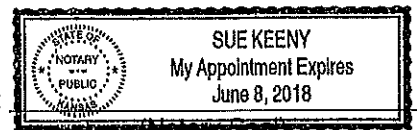
Date of Issuance: FEBRUARY 15, 2018

State of Kansas)

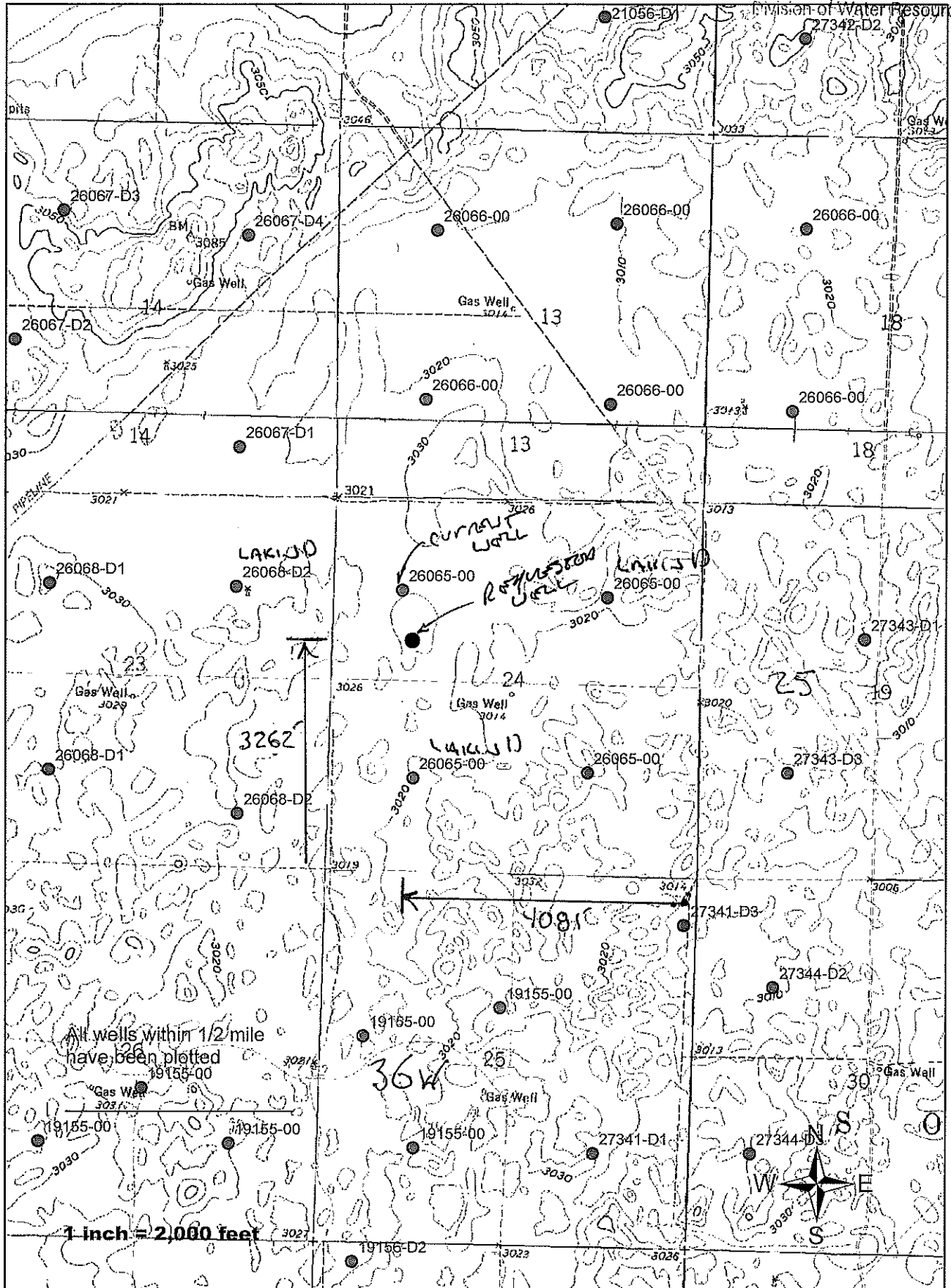
County of Finney) SS

Acknowledged before me on February 15, 2018
by Thomas P Makens

Signature: Sue Keeny
Notary Public



My commission expires: _____



GSPF IRRIGATION SERVICE

710 W Taylor Jones Rd
Holcomb, KS 67851

Phone: 620-277-2503

Fax: 620-277-2581

FILE
26065

x	

FRED RIT'SEMA CELL 620-271-1098

Customer Name: Lakin Dairy

Date:

Address: P.O. Box 389

Test #

E Log

City & state LAKIN, KS, 67860

Driller:

County Kearny Quarter NW Section: 24 Township: 25

Range: 36

Location: N 37.86634 W 101.22723

Elev:

Rig#

WO#

%	From	Pay	To	Description of Strata	Static Water Level <u>220</u> FROM THE
	0		2	Sandy top soil	Proposed Well Depth <u>573</u>
	2		9	Fine sand	<u>20' SUMP</u>
	9		22	Sand FMC	
	22		54	Sand FMC w/small-med gravel	
	54		57	Sandy clay	
	57		82	Sand FMC s-m gravel w/few clay strips	
	82		91	Sandy clay	
	91		126	Sand FMC s-L gravel w/few sandy clay strips	
	126		143	Fine grey sand tight	
	143		147	Sand M.C Large gravel	
	147		174	Black + grey clay	
	174		177	Sand M.C s-m gravel	
	177		214	Black + grey clay	
	214		217	Sand F-m	
	217		224	Blue clay	
	224		231	Sand FMC small gravel	
	231		247	Sandy clay w/sand strips F-m	
	247	5	252	Sand FMC	
	252	12	264	Sand FMC w/few sandy clay strips	
	264	7	271	Sand M-C	
	271	11	282	Sandy clay	

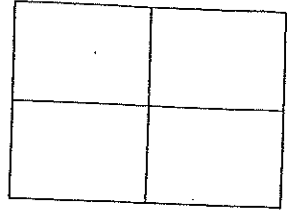
GSPF IRRIGATION SERVICE

710 W Taylor Jones Rd

Holcomb, KS 67851

Phone: 620-277-2503

Fax: 620-277-2581



Customer Name: _____ Date: _____

Address: _____ Test # _____ E Log _____

City & state _____ Driller: _____

County _____ Quarter _____ Section: _____ Township: _____ Range: _____

Location: _____ Elev: _____

Rig#

WO#

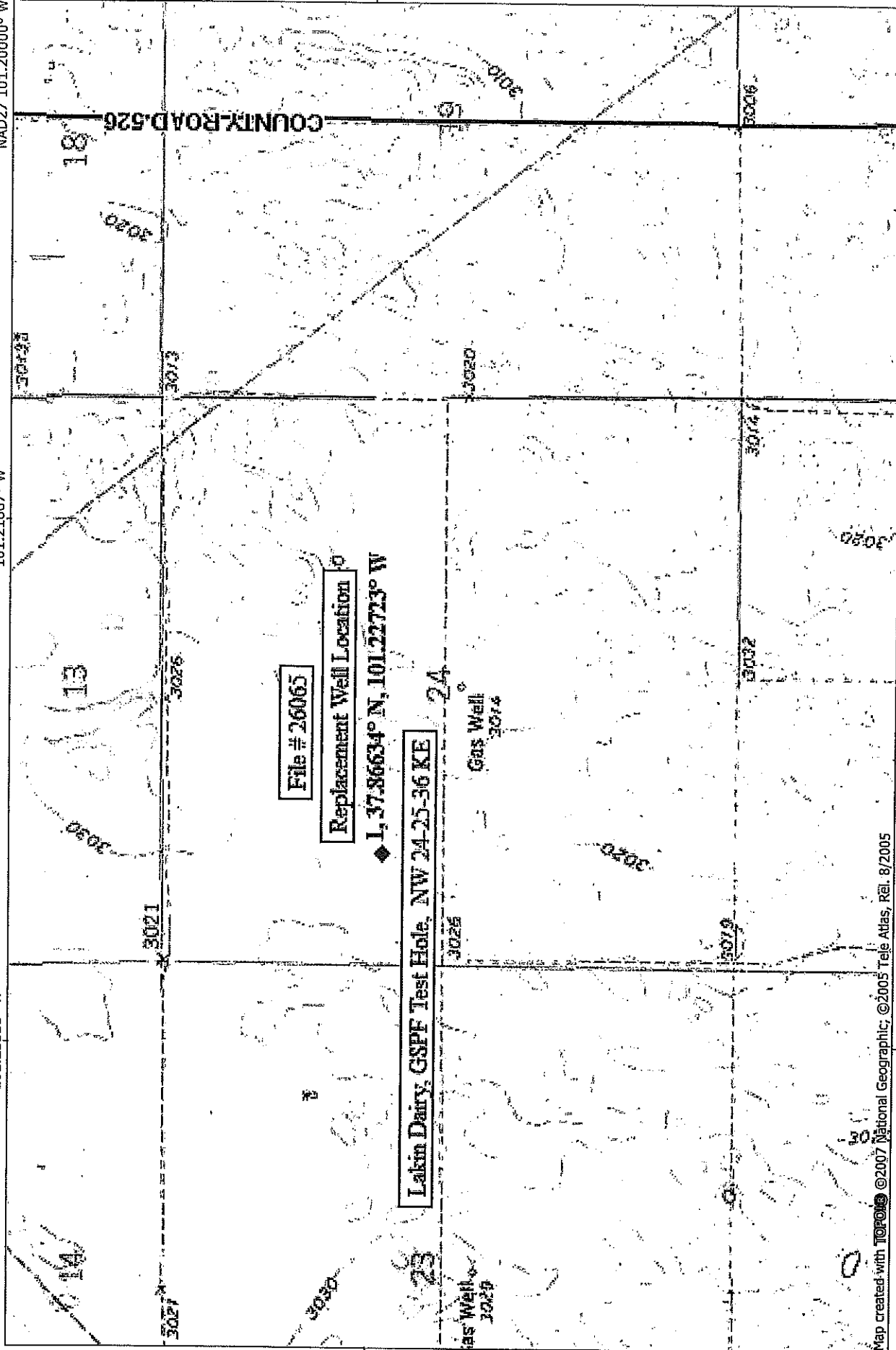
%	From	Pay	To	Description of Strata	Static Water Level Proposed Well Depth
	282	5	287	Fine sand	
	287	31	318	Fine sand w/some sandy clay strips	
	318	29	347	Sand F-m w/few sandy clay strips	
18	347		365	Sandy clay	
	365	3	368	Sand M-C	
	368	7	375	Sand Fine + sandy clay	
	375	3	378	Sand M-C	
	378	6	384	Sandy clay + Fine sand	
	384	11	395	Sand M-C	
9	395		404	Sandy clay	
	404	4	408	Sand M-C	
4	408		412	Sandy clay	
	412	3	415	Sand med	
9	415		424	Sandy clay	
	424	3	427	Sand F-m	
6	427		433	Grey sandy clay	
2	433		435	Yellow soapstone	
	435	19	454	Sand stone loose	
5	454		459	Grey clay	
	459	4	463	Sand stone loose	
	463	4	467	Sand med	

TOPO! map printed on 01/23/18 from "Untitled.tpo"

101.21667° W

101.23333° W

NAD27 101.20000° W



File # 26065

Replacement Well Location

◆ 1, 37.86634° N, 101.22773° W

Lakin Dairy, GSPF Test Hole, NW 24-25-36 KE

Gas Well 3018

Gas Well 3029

Map created with TOPO! © 2007 National Geographic, © 2005 Tele Atlas, Rel. 8/2005

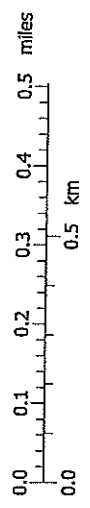
101.23333° W

101.21667° W

NAD27 101.20000° W



NATIONAL GEOGRAPHIC



TN 6°

01/23/18

37.86667° N



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

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

January 31, 2018

Southwest Kansas Groundwater
Management District No 3
409 Campus Drive, Suite 106
Garden City KS 67846

Re: Water Right file number 26065

Dear Mr. Norquest;

The Lakin Dairy has applied to relocate the wells authorized by the above water right number. There are three neighboring wells within ½ mile of the requested.

We are delaying action for 15 days on the change application to allow you time to review and provide a recommendation if you feel one is warranted.

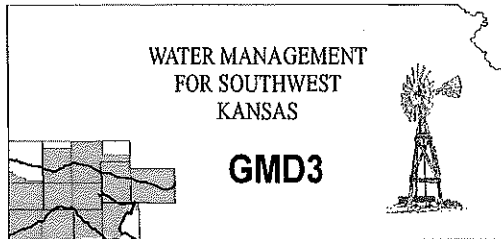
Thank you and as always feel free to call or write us at any time.

Sincerely;

A handwritten signature in black ink, appearing to read "T P Makens".

Thomas P Makens

TPM:tpm
enc



**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 9, 2018

Thomas P. Makens
Division of Water Resources
2508 N Johns Street
Garden City, Kansas 67846

RECEIVED

RE: Application for Change in Point of Diversion
Water Right, File No. 26065

FEB 13 2018

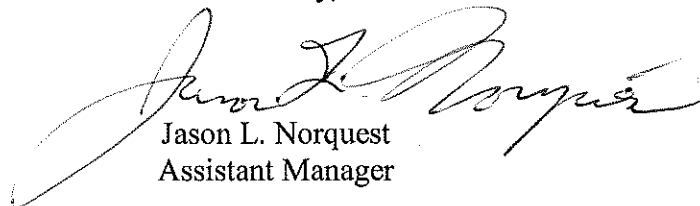
Garden City Field Office
Division of Water Resources

Dear Thomas:

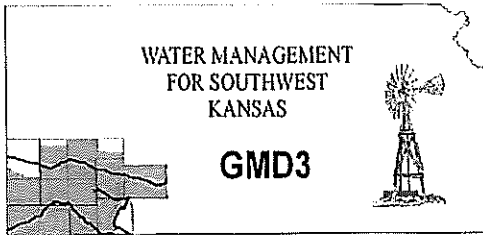
We have completed a review of the application for the above referenced water right. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed distance moved and well spacing is in accordance with K.A.R. 5-23-3. It is therefore recommended that the application 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



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 9, 2018

Thomas P. Makens
Division of Water Resources
2508 N Johns Street
Garden City, Kansas 67846

RECEIVED

FEB 12 2018

Garden City Field Office
Division of Water Resources

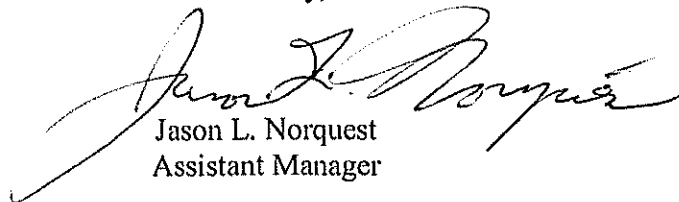
RE: Application for Change in Point of Diversion
Water Right, File No. 26065

Dear Thomas:

We have completed a review of the application for the above referenced water right. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed distance moved and well spacing is in accordance with K.A.R. 5-23-3. It is therefore recommended that the application 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,

A handwritten signature in cursive script, which appears to read "Jason L. Norquest".

Jason L. Norquest
Assistant Manager

GMD3 Change Review

File No(s): 26065.

DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: Appears so.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? WRIS shows Warren Boegel Trust.

If NO, is documentation included?

Regulation(s) Reviewed: KAR5-23-3

Point of diversion ID No(s) 2 being changed.

	ft. North	ft. West	
Authorized PD	3960	3960	Sect. 24-25-36
Proposed PD	3262	4081	
Difference	698 S	-121 W	
a2 + b2 = c2	487204	14641	708.4102 foot move SW

GPS for proposed PD: Lat: 37.86634 Long: -101.22723

Is proposed PD stacking on existing WRs? NO.

Is Proposed PU overlapping existing WRs? ___.

Land Owner(s) notified: ___.

Name ___. Name ___.

Address ___. Address ___.

Zip ___. Zip ___.

Neighboring certified well(s) notified: ___.

Name ___. Name ___.

Address ___. Address ___.

Zip ___. Zip ___.

Domestic well(s) notified: ___.

Name ___. Name ___.

Address ___. Address ___.

Zip ___. Zip ___.

Base Acres: ___.

Perfected Acres: ___.

Irr. Return-Flow ___%

Is a waiver needed: NO.

Final Recommendation: After review of all available information, it appears the current area rules are met. Staff therefore recommends approval of the application.

RECEIVED

FEB 12 2018

Garden City Field Office
Division of Water Resources



Water Rights and Points of Diversion Within 1.00 miles of point defined as:

3262 ft N and 4081 ft W of the SE Corner of Section 24, T 25S, R 36W

Located at: 101.226782 West Longitude and 37.866319 North Latitude

GROUNDWATER ONLY

1600' 0-11

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 26065 00	IRR	NK	G*	2843	--	--	NC	NE	3940	1320	24	25	36W	1		268.00	268.00	AF
Same				<i>→</i> 701	--	--	NC	NW	3960	3960	24	25	36W	2		260.00	260.00	AF
Same				1960	--	--	NC	SW	1303	4025	24	25	36W	5		245.00	245.00	AF
Same				3113	--	SE	NW	SE	1415	1575	24	25	36W	6		266.00	266.00	AF
A__ 26066 00	IRR	NK	G	3439	--	--	NC	SW	1340	3960	13	25	36W	3		264.00	264.00	AF
Same				4387	--	--	NC	SE	1340	1320	13	25	36W	4		262.00	262.00	AF
A__ 26067 D1	IRR	NK	G	3693	--	NC	S2	SE	650	1350	14	25	36W	4		272.00	272.00	AF
A__ 26068 D1	IRR	NK	G	5207	--	--	NC	NW	3960	3960	23	25	36W	2		272.00	272.00	AF
A__ 26068 D2	IRR	NK	G	2616	--	--	NC	NE	3960	1320	23	25	36W	1		272.00	272.00	AF
Same				3524	--	NW	SE	SE	750	1280	23	25	36W	6		272.00	272.00	AF
A__ 27341 D3	IRR	NK	G	5180	--	NE	NE	NE	5000	280	25	25	36W	4		255.00	255.00	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	2908.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	2908.00	.00

Spacing MET!

An * after the source of supply indicates a pending application for change for the file number.

An * after the ID indicates a 15 AF exemption was granted for the file number.

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.

The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1.00 miles of point defined as:

101.226782 West Longitude and 37.866319 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 26065 00	IRR	NK	G
> WARREN L BOEGEL TRUST			
>			
> 1541 ROAD 90			
> LAKIN KS 67860			

A__ 26066 00	IRR	NK	G
> FRED RITSEMA & YOKA RODENHUIS TRUSTS			
> LAKIN DAIRY			
> PO BOX 389			
> LAKIN KS 67860			

A__ 26067 D1	IRR	NK	G
> WALTER & ALBERTA REDGER LIVING TRUST			
>			

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> 300 S AZTEC ST
> MONTEZUMA KS 67867

>-----

A__ 26068 D1 IRR NK G
> RALPH & JERALDINE REIMER TRUSTS
> 510 INGALLS ST
> PO BOX 4
> LAKIN KS 67860

>-----

A__ 26068 D2 IRR NK G
> FRED RITSEMA & YOKA RODENHUIS TRUSTS
> LAKIN DAIRY
> PO BOX 389
> LAKIN KS 67860

>-----

A__ 27341 D3 IRR NK G
> TIM YOST
>
> 2396 ROAD 115
> LAKIN KS 67860

>-----

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF KANSAS

Garden City Field Office
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<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

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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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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.

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)

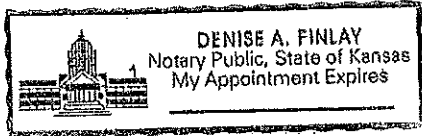
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STATE OF KANSAS, COUNTY OF KEARNY, ss:

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.

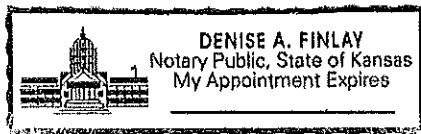


Denise A. Finlay
Notary Public

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

Melissa Gessitzen
REGISTER OF DEEDS
By _____ Deputy

Rec. Fee \$ 89.00



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

Entered in Transfer Record in my Office this 5th day of January A.D. 2018
Saul Avel
County Clerk

