

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

1. File Number: <b>33677</b>	2. Status Change Date: <b>3-13-19</b>	3. Change Num: <b>C2</b>	4. Field Office: <b>4</b>	5. GMD: <b>3</b>
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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: <b>2/22/2019</b>
--	---

8a. Applicant(s) Person ID **61989**  
 New to system  Add Seq# \_\_\_\_\_

**JACOB NEUFELD**  
**10165 W RIVER RD**  
**HOLCOMB KS 67851**

8c. Landowner(s) Person ID **64846**  
 New to system  Add Seq# \_\_\_\_\_

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

**NOTE: OWNERSHIP CHANGE – NAME & ADDRESS**

8b. Landowner(s) Person ID \_\_\_\_\_  
 New to system  Add Seq# \_\_\_\_\_

8d. WUC Person ID \_\_\_\_\_  
 New to system  Add Seq# \_\_\_\_\_

**8a**

9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: **12/31/2019**     N & P Date to Comply: \_\_\_\_\_

Anti-Reverse Meter     Meter Seal     Check Valve     N & P Form     Water Tube     Driller Copy     H & E Letter

Conservation Plan    Date Required: \_\_\_\_\_    Date Approved: \_\_\_\_\_    Date to Comply: \_\_\_\_\_

10. Use Made of Water    From: \_\_\_\_\_    To: \_\_\_\_\_

Date Prepared: **3/11/2019**    By: **AM**  
 Date Entered: \_\_\_\_\_    By: \_\_\_\_\_



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



Phone: 620-276-2901  
Fax: 620-276-9315  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Interim Secretary

Laura Kelly, Governor

March 13, 2019

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

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

Dear Sir:

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

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

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

Should you have any questions, please feel free to call this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael A. Meyer".

Michael A. Meyer  
Water Commissioner

MAM:  
enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

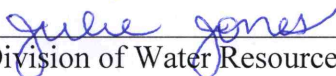
## CERTIFICATE OF SERVICE

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

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

With photocopies to:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

  
\_\_\_\_\_  
Division of Water Resources Staff

Submit completed application to:  
 Kansas Department of Agriculture  
 Division of Water Resources  
 Field Office for your area.

Call for address:

Topeka -- (785) 296-5733  
 Stafford -- (620) 234-5311  
 Stockton -- (785) 425-6787  
 Garden City -- (620) 276-2901  
<http://agriculture.ks.gov/dwr>

## DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



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  
 2:03 pm  
 FEB 22 2019

File No. 33677

Garden City Field Office  
 DIVISION OF WATER RESOURCES

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

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: JACOB NEUFELD

10165 W RIVER RD HOLCOMB KS 67851

Phone Number: (    )                      Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: JACOB NEUFELD

10165 W RIVER RD HOLCOMB KS 67851

Phone Number: (    )                      Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: SANDYHILL ENTERPRISES LLC - JACOB NEUFELD

ADDRESS: 10165 W RIVER RD HOLCOMB KS 67851

(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	
15	26S	34W	34	34	34	34	34	34	34	34									272

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: SANDYHILL ENTERPRISES LLC - JACOB NEUFELD

ADDRESS: 10165 W RIVER RD HOLCOMB KS 67851

(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	
9	26S	34W									34	34	34	34	34	34	34	34	272
10	26S	34W	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
15	26S	34W	34	34	34	34	34	34	34	34									272

<b>For Office Use Only: Code</b> _____ <b>Fee \$</b> <u>200.00</u> <b>TR #</b> _____ <b>Receipt Date</b> <u>2-22-19</u> <b>Check #</b> <u>4125</u>
--

5. **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:  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 \_\_\_\_\_ (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 \_\_\_\_\_

6. **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:  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 \_\_\_\_\_ (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. The changes herein are desired for the following reasons?  
 (please be specific) CREATE COMPLETE OVERLAP IN  
PLACE OF USE W/ FILE NOS. 28871-D1; 29939 AND  
33676

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

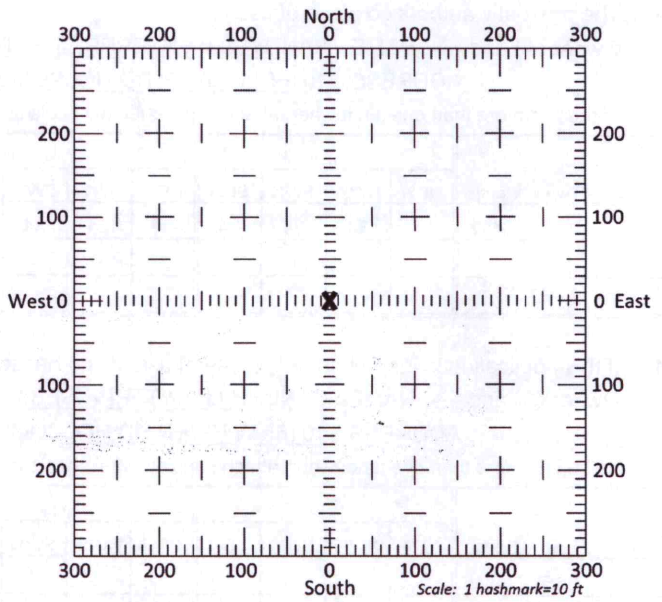
9. The change(s) (was)(will be) completed by?  
UPON APPROVAL

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

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by AM/GCFO

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:
- (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 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 Warden City, Kansas, this 22<sup>nd</sup> day of February, 2019.

[Signature]  
 \_\_\_\_\_  
 (Owner)

Aganetha Neufeld  
 \_\_\_\_\_  
 (Spouse)

Jacob Neufeld  
 \_\_\_\_\_  
 (Please Print)

Aganetha Neufeld  
 \_\_\_\_\_  
 (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 22<sup>nd</sup> day of February, 2019.

My Commission Expires 

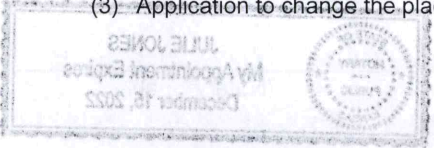
Julie Jones  
 \_\_\_\_\_  
 Notary Public

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. 32677.

1. A change application was received on February 22, 2019 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 \_\_\_\_\_ 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, 2019**, 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, 2019**, 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: Michael A. Meyer  
Duly Authorized Designee of the Chief Engineer  
(Print Name): MICHAEL A. MEYER  
Division of Water Resources, Kansas Department of Agriculture

Date of Issuance: March 13, 2019  
State of Kansas \_\_\_\_\_ )  
County of Finney ) SS

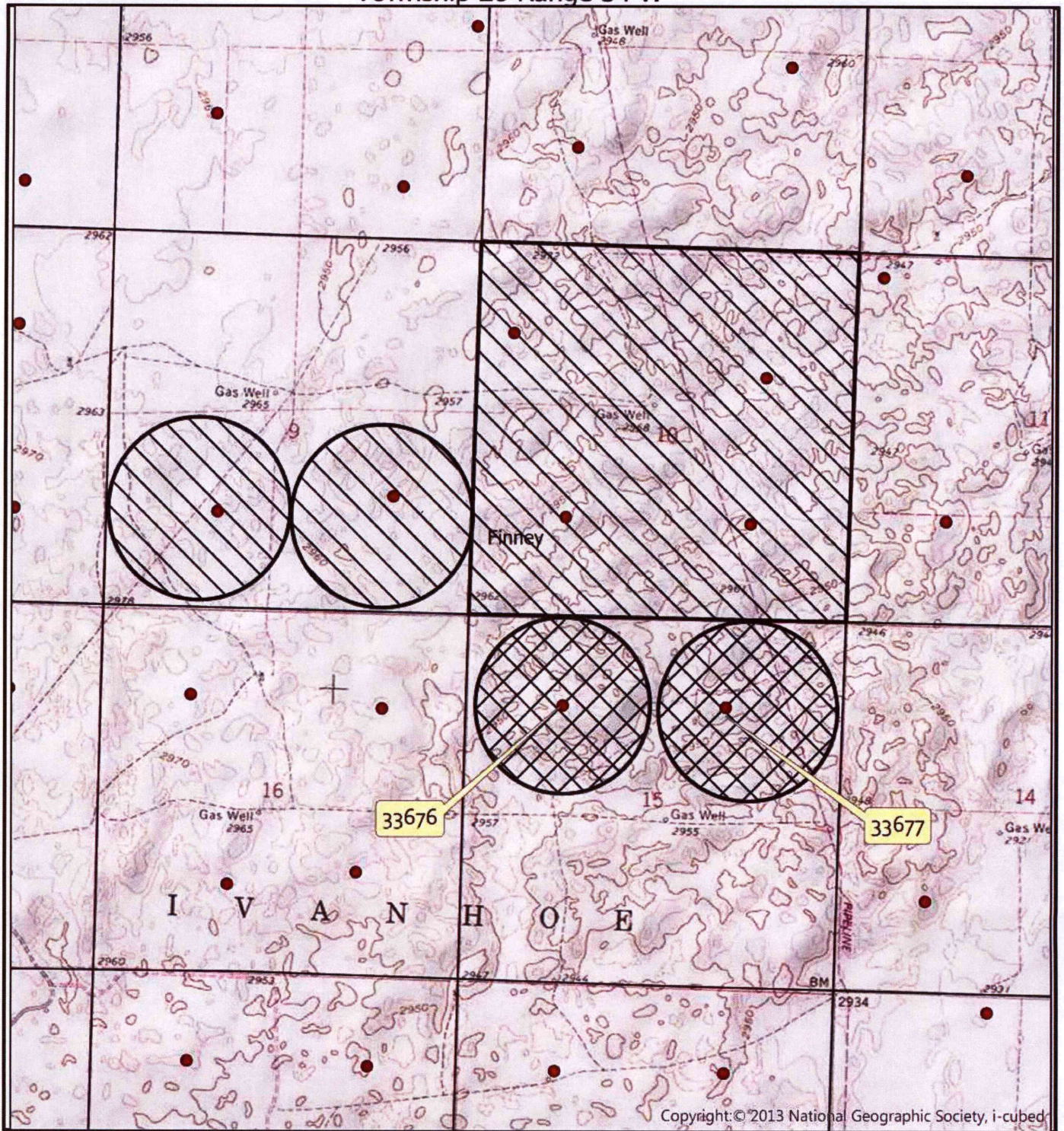
Acknowledged before me on March 13, 2019  
by Michael A. Meyer




Signature: Julie Jones  
Notary Public

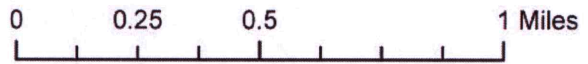
My commission expires \_\_\_\_\_  


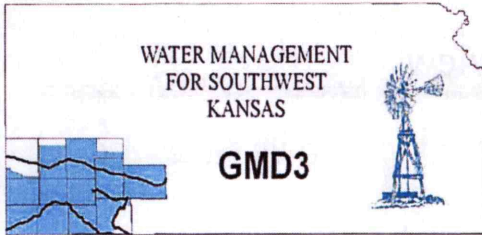


Change in Place of Use  
 File Nos. 33676 & 33677  
 Finney County  
 Township 26 Range 34 W



-  Points of Diversion
-  Authorized Place of Use
-  Requested Place of Use





**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](http://www.gmd3.org)

February 28, 2019

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

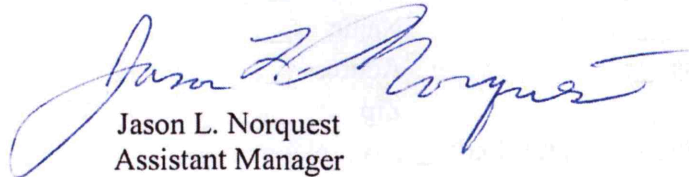
RE: Applications for Change in Place of Use  
Water Right, File Nos. 28871 D1, 29939, 33676 & 33677

Dear Mike:

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

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

Sincerely,

A handwritten signature in blue ink, which appears to read "Jason L. Norquest". The signature is fluid and cursive in style.

Jason L. Norquest  
Assistant Manager

## GMD3 Change Review

File No(s): 28871D1, 29939, 33676 & 33677.

DWR office: GC.

App filed to change: PU.

Is Landowner(s) correct in WRIS: No, but will be corrected.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? \_\_\_.

If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-5-11(b)(1)

Point of diversion ID No(s) \_\_\_ being changed.

	ft. North	ft. West	
Authorized PD			
Proposed PD			
Difference	0	0	
$a^2 + b^2 = c^2$	0	0	0

GPS for proposed PD: Lat: \_\_\_ Long: \_\_\_.

Is proposed PD stacking on existing WRs? No change.

Is Proposed PU overlapping existing WRs? Creating a complete overlap on acres, no new acres being brought in that are not covered by the water rights.

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: \_\_\_.

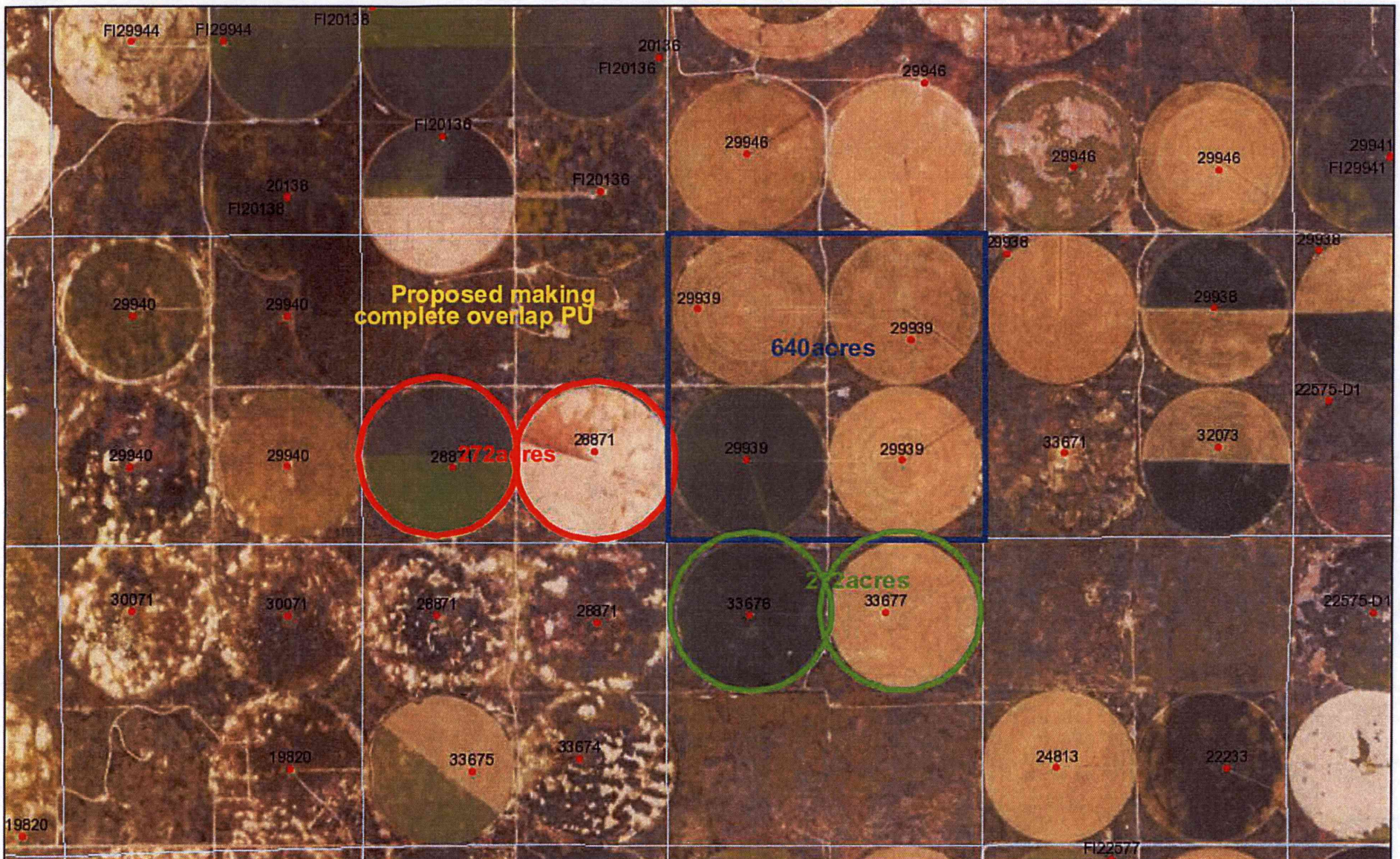
Perfected Acres: \_\_\_.

Irr. Return-Flow \_\_\_%

**All acres proposed are covered by at least one of the water rights and this is just making a 100% overlap.**

Is a waiver needed: No.

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

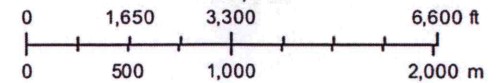


February 28, 2019  
09:12 AM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

1:36,112

<b>Wells</b>	+	CON	■	FPR	▲	MUN	⚡	THX	
?	Other	⊠	DEW	+	HYD	⚡	REC	?	Empty
•	IRR	⚡	DOM	★	IND	⊠	STK	□	Sections





*First American Title Company*

# Electronically Recorded Document

**File #**

1506966

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

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

<b>Recorded Date/Time:</b>	<i>01/15/2019 2:50:00 PM</i>
<b>Instrument Number:</b>	<i>201900148</i>
<b>Book:</b>	<i>337</i>
<b>Page:</b>	<i>146</i>
<b>No Of Pages:</b>	<i>2</i>
<b>County/State:</b>	<i>Finney/KS</i>
<b>Borrower/Buyer :</b>	<i>Sandy Hill Enterprises, LLC</i>
<b>Document Type:</b>	<i>Warranty Deed</i>
<b>Document Seq:</b>	<i>2</i>

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

DATA ENTRY  
LAND INDEX



*Ulrike Lappin*  
ULRIKE LAPPIN,  
FINNEY COUNTY REGISTER OF DEEDS

Entered in Transfer Record in my office this  
15 day of January A.D., 2019

*D. J. ...*  
Finney County Clerk

**KANSAS TRUSTEE'S DEED**  
**(Individual/Tenants in Common)**

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

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

**SURFACE AND WATER RIGHTS ONLY**

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

**and**

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

**and**

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

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

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

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

**KANSAS TRUSTEE'S DEED**  
**(Individual/Tenants in Common)**

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

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

**SURFACE AND WATER RIGHTS ONLY**

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

**and**

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

**and**

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

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

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

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

Grantor(s) warrant(s) to Grantee(s) that Grantor(s) is/are conveying the Property pursuant to the provisions of the **Kathleen A. Koster Trust** (the "Trust"). Grantor(s) further warrant(s) to Grantee(s) that said Trust is in full force and effect as of the date hereof and has not been amended, modified or revoked, and that Grantor(s) is/are the duly constituted trustee(s) or successor trustee(s) of the Trust. Grantor(s) covenant(s) to Grantee(s) that this conveyance is made pursuant to the authority granted to Grantor(s) by the Trust, and the consideration received by Grantor(s) is in full accordance with the provisions of the Trust.

Dated: 1-14-2019

Kathleen A. Koster Trust

x *Kathleen A. Koster*  
Kathleen A. Koster, Trustee

x *Duane E. Koster*  
Duane E. Koster, Trustee

Duane E. Koster Trust

x *Duane E. Koster*  
Duane E. Koster, Trustee

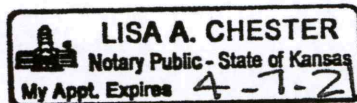
x *Kathleen A. Koster*  
Kathleen A. Koster, Trustee

STATE OF KANSAS )  
 )ss.  
COUNTY OF Finney )

BE IT REMEMBERED, That on this 14 day of **January, 2019**, before me, the undersigned, a Notary Public in and for said County and State, came **Kathleen A. Koster, Trustee** and **Duane E. Koster, Trustee** of the **Kathleen A. Koster Trust** and **Duane E. Koster Trust** and who is/are personally known to me to be the same person(s) who executed the within instrument of writing, and duly acknowledged the execution of the same as his/her/their free act and deed for the purposes expressed therein pursuant to the authority granted by said Trust Agreement.

*Lisa A. Chester*  
Notary Public

My appointment expires:





**ONLY FOR USE IN COUNTIES APPROVED TO ACCEPT ONE-PART FORMS (See website information below)**  
**KANSAS REAL ESTATE SALES VALIDATION QUESTIONNAIRE**

<b>FOR COUNTY USE ONLY:</b>										
DEED										
BOOK _____ PAGE _____	COV# _____	CO. NO. _____	MAP _____	SEC _____	SHEET _____	QTR _____	BLOCK _____	PARCEL _____	OWN _____	
RECORDING DATE ____/____/____	TYPE OF INSTRUMENT _____	SPLIT <input type="checkbox"/>	MO _____	YR _____	TY _____	AMOUNT _____	S _____	V _____		
	CR _____ RS _____ DE _____	MULTI <input type="checkbox"/>								

<p><b>SELLER (Grantor)</b></p> <p>NAME <u>Duane Koster</u></p> <p>MAILING <u>3012 Archer Rd</u></p> <p>CITY/ST/ZIP <u>Garden City KS 67846</u></p> <p>PHONE NO. <u>620-271-4491</u></p> <p>Email (optional) _____</p>	<p><b>BUYER (Grantee)</b></p> <p>NAME <u>Sandy Hill Enterprises</u></p> <p>MAILING <u>10165 W River Rd</u></p> <p>CITY/ST/ZIP <u>Wichita KS 67851</u></p> <p>PHONE NO. <u>620-271-5283</u></p> <p>Email (optional) _____</p>
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**IF AN AGENT SIGNS THIS FORM, BOTH BUYER AND SELLER TELEPHONE NUMBERS MUST BE ENTERED.**

<p><b>BRIEF LEGAL DESCRIPTION</b></p> <p><u>1/2 15, sec 10,</u> <u>01/4 11 - 26-34</u></p>	<p>Property / Situs Address: _____</p> <p>Name and Mailing Address for Tax Statements See Above _____</p> <p align="center"><u>See Above</u></p>
--	--

1. Check any special facts that apply:

Sale between immediate family members:  
Specify the relationship \_\_\_\_\_

Sale involved corporate affiliates or related entities

Auction Sale (absolute auction)  Yes  No

Short sale (amount of lien(s) exceeds sale proceeds)

Transfer in lieu of foreclosure or repossession

Sale involved a build-to-suit or leaseback arrangement

Sale by judicial order (by a guardian, executor, conservator, administrator, or trustee of an estate)

Sale involved a government agency or public utility

Buyer (new owner) is a religious, charitable, or benevolent organization, school or educational association

Buyer (new owner) is a financial institution, insurance company, pension fund, or mortgage corporation

Sale of only a partial interest in the real estate

Sale involved a trade or exchange of properties

**None of the above**

2. Check use of property at the time of sale:

<input type="checkbox"/> Single family residence	<input checked="" type="checkbox"/> Agricultural land	Mineral rights included?	
<input type="checkbox"/> Farm/Ranch With residence		<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Condominium unit	<input type="checkbox"/> Apartment Building		
<input type="checkbox"/> Vacant land	<input type="checkbox"/> Commercial/Industrial bldg.		
<input type="checkbox"/> Other: (Specify) _____			

3. Was the property rented or leased at the time of sale?

Yes (number of years remaining on lease \_\_\_\_\_)

Tenant is buyer  No

4. Did the sale price include an operating business?

Yes (estimated value \$ \_\_\_\_\_)  No

5. Was any personal property included in the sale price (such as furniture, equipment, inventory, machinery, crops, etc.)?

Yes  No If yes, please describe \_\_\_\_\_

Estimated value of all personal property items included in the sale price \$ \_\_\_\_\_

If Mobile Home: Year \_\_\_\_\_ Model \_\_\_\_\_

6. Were any changes made to the property since January 1<sup>st</sup>?

Yes  No

Demolition  New Construction  Remodeling  Additions

Date completed \_\_\_\_\_ Amount \$ \_\_\_\_\_

7. Were any delinquent property taxes paid by the buyer? Amt. \$ \_\_\_\_\_

Yes AND the amount was included in the total sale price

Yes but the amount was not included in the total sale price

No, delinquent property taxes were included in the sale

8. Method of Financing (check all that apply):

New loan(s) from a financial institution  IRS 1031 Exchange

Seller financing  Assumption of an Existing loan(s)

All-cash  Trade of property  Not applicable

9. Was the property offered to other potential buyers?

Yes: Advertised (listed, Internet, yard sign, word-of-mouth, etc.)

No: Private purchase (not offered on the open market)

10. Does the buyer hold title to any adjoining property?

Yes  No

11. Are there any additional facts that would cause this sale to be a distressed, forced, or non-arms length exchange?

Yes  No If yes, please describe \_\_\_\_\_

**K.S.A 79-1437g. Same; penalty for violations. Any person who shall falsify the value of real estate transferred shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$500.**

12. TOTAL SALE PRICE \$ 1,350,000

DEED DATE 1, 14, 19

13. I have read the instructions for completing this form and certify that the above information is true and accurate.

Print name Sandy Hill Enterprises

Signature [Signature] Trustee

Grantor (Seller)  Grantee (Buyer)

Agent Daytime phone number ( \_\_\_\_\_ )

Sarah Newford  
Member

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



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

Mike Beam, Interim Secretary

Laura Kelly, Governor

February 25, 2019

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

Re: Water Right File Nos. 28871\_D1, 29939, 33676, 33677

Dear Mr. Norquest:

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

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

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

Sincerely,

A handwritten signature in blue ink that reads "Michael A. Meyer".

Michael A. Meyer  
Water Commissioner

MAM  
Enclosures