

File No. **21388** 11. County: FI Basin: ARKANSAS RIVER Stream: Formation Code: **211/331** Special Use:

12. Points of Diversion										Rate and Quantity						
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
CHK			19933	NW NE SW	8	25S	34W	6	2494	3255		895	286	895	286	NONE
DEL			33846													
ENT				NW SE NE	8	25S	34W		3838	1101		850	273	850	273	NONE
CHK			80270	SE SE SE	8	25S	34W	7	250	475		845	271	845	271	NONE
CHK			83403	NW NW NW	8	25S	34W	8	5008	4682		805	258	805	258	NONE

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										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
CHK	MOD	DEL	ENT	PUSE	S	T	R	ID		NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
CHK				30845																									

Base Acres: Year: Minimum Reasonable Quantity:

Comments: **NOTE CHANGE IN OWNERSHIP**

Garden City Field Office
4532 W. Jones, Suite B
Garden City, KS 67846



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

Mike Beam, Secretary

Laura Kelly, Governor

April 26, 2021

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

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

Dear Sir or Madam:

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

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

Since the order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Austin J. McColloch".

Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc: GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

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

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

Pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3



Division of Water Resources Staff

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

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

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



STATE OF KANSAS

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended.
 Fee Schedule is on the third page of this application form.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

RECEIVED
 4:41 Am
 APR 16 2021

File No. 21388 _____

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

Garden City Field Office
 Division of Water Resources

2. Name and address of Applicant: Jacob Loewen _____

Phone Number: _____ Email address: _____

Name and address of Water Use Correspondent: WHEATLAND ELECTRIC COOPERATIVE INC ATTN: PERRY SMITH

PO BOX 953 GARDEN CITY KS 67846 Loewen Family Farms LLC

Phone Number: () _____ Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: _____

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		

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: _____

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 \$ 100.00 TR # _____ Receipt Date 4-16-21 Check # 4486

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ NC Quarter of the _____ NE Quarter
 of Section _____ 8 _____, Township _____ 25 _____ South, Range _____ 34 _____ (W),
 in Finney _____ County, Kansas, _____ 3960 _____ 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: 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 Nw Quarter of the NC SE Quarter of the _____ NE Quarter
 of Section _____ 8 _____, Township _____ 25 _____ South, Range _____ 34 _____ (W),
 in Finney _____ County, Kansas, _____ 3838 _____ feet North _____ 1101 _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) 550' +
 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 _____ NW Quarter of the _____ NE Quarter of the _____ SW Quarter
 of Section _____ 8 _____, Township _____ 25 _____ South, Range _____ 34 _____ (W),
 in Finney _____ County, Kansas, _____ 2494 _____ feet North _____ 3255 _____ 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: 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) _____

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

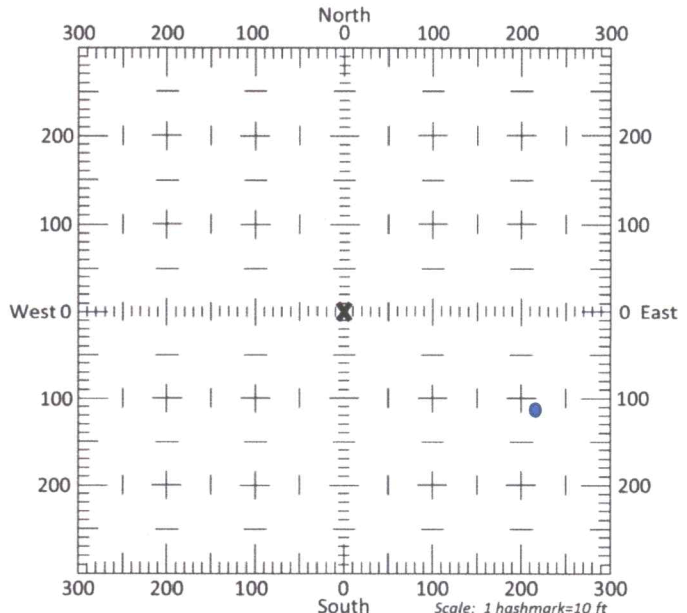
9. The change(s) (was)(will be) completed by?

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

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by Alex Torrance

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.)**

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 21388

Presently authorized point of diversion:

One in the SE Quarter of the SE Quarter of the SE Quarter
of Section 8, Township 25 South, Range 34 (W),
in Finney County, Kansas, 250 feet North 475 feet West of Southeast corner of section.
Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 7 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)

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 NW Quarter of the NW Quarter of the NW Quarter
of Section 8, Township 25 South, Range 34 (W),
in Finney County, Kansas, 5008 feet North 4682 feet West of Southeast corner of section.
Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 8 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)

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: No change, point better described with GPS 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: No change, point better described with GPS 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 _____

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 Seminole, TX, this 15th day of April, 2021.

Jacob Loewen
(Owner)

Susana Loewen
(Spouse)

Jacob Loewen
(Please Print)

Susana Loewen
(Please Print)

Martin Loewen
(Owner)

[Signature]
(Spouse)

Martin Loewen
(Please Print)

Lisa Loewen
(Please Print)

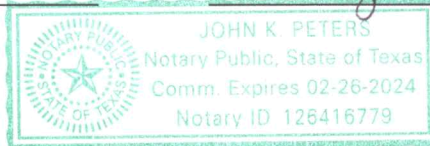
[Signature]
(Owner)

[Signature]
(Spouse)

Fernando Loewen
(Please Print)

Aguretha Loewen
(Please Print)

State of ~~Kansas~~ Texas }
County of Gaines } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 15th day of April, 2021.

My Commission Expires 2/26/2024.

[Signature]
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

CORPORATION DEED—General Warranty

DEED GENERAL WARRANTY

FROM

TO

Entered in Transfer Record in my office, this _____ day of _____, 20____

County Clerk.

STATE OF KANSAS)
)ss.
) Finney County.)

This instrument was filed for record on the _____ day of _____, 20____, at _____ o'clock _____ P. M., and duly recorded in Book _____ of Deeds, at page _____

By _____ Register of Deeds. Deputy.

FEES.
Register of Deeds, for recording \$ _____
County Clerk, for transfer. \$ _____
Total, \$ _____

Entered in Transfer Record in my office this _____ day of _____, A.D., 20____
to _____
Finney County Clerk



THIS DEED, MADE THIS _____ day of _____, 20____, between Wheatland Electric Cooperative, Inc.,

a corporation duly incorporated and existing under the laws of KANSAS and having its principal place of business at Scott City, Scott County, in the State of KANSAS, as first party, and Loewen Family Farms, LLC, of _____ County, in the State of _____, as second party,

WITNESSETH, That first party, in consideration of the sum of

CONTRIBUTION

the receipt of which is hereby acknowledged, does by these presents convey and warrant unto second party, its heirs and assigns, all of the following described real estate situated in _____ County, State of KANSAS, to-wit:

SEE ATTACHED "EXHIBIT A"

DATA ENTRY
LAND INDEX

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, forever.

And said first party, for itself, its successors and assigns, does hereby covenant, promise and agree to and with said second party that at the delivery of these presents it is lawfully seized in its own right of an absolute and indefeasible estate of inheritance, in fee simple, of all the above-described real estate, with the appurtenances; that the same are free, clear, discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrances of whatever nature and kind soever, except: any and all easements, rights-of-way, and reservations of record and that it will warrant and forever defend the same unto said second party, its heirs and assigns, against said first party, its successors and assigns, and all and every person or persons whomsoever lawfully claiming or to claim the same.

IN WITNESS WHEREOF, First party has caused this Deed be signed on its behalf by Bruce Mueller, General Manager and CEO, thereunto duly authorized so to do, the day and year first above written.

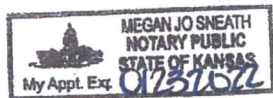
WHEATLAND ELECTRIC COOPERATIVE, INC.

By _____
Bruce Mueller, General Manager and CEO

STATE OF KANSAS)
)
) ss:
COUNTY OF _____)

BE IT REMEMBERED, That on this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Bruce Mueller, General Manager and CEO of Wheatland Electric Cooperative, Inc., a corporation duly incorporated and existing under and by virtue of the laws of Kansas, who is personally known to me to be the same person who executed, as such officer, the foregoing deed on behalf of said corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official Seal the day and year last above mentioned.



Megan Jo Sneath
Notary Public

My Appointment Expires _____, 20____

"EXHIBIT A"

WR
21386 ✓
Tract One: All of Section Five (5), Township Twenty-five (25) South, Range Thirty-four (34) West of the 6th P.M., Finney County, Kansas, except oil, gas and/or minerals. Together with all water rights appurtenant thereto. EXCEPT: a tract of land located in the North half of Section Five (5), Township Twenty-five (25) South, Range Thirty-two (32) West of the 6th P.M., Finney County, Kansas, more particularly described as follows:

Commencing at the Northwest corner of said Section 5 being a found ½" R-bar, origin unknown; thence North 89°32'52" East on the North line of said Section 5 a distance of 2447.47 feet to a set ½" R-bar, Parks cap, typical, being the point of beginning; thence continuing North 89°32'52" East on the line of said Section 5 a distance of 205.0 feet to a found 1-1/2" pipe, referenced by Hummer's Permanent Survey, being the North Quarter corner of said Section 5; thence North 89°32'52" East on the North line of said Section 5 a distance of 455.00 feet to a set ½" R-bar; thence South 00°27'08" East a distance of 690.00 feet to a set ½" R-bar; thence South 89°32'52" West a distance of 660.00 feet; thence North 00°27'08" West a distance of 690.00 feet to the point of beginning.

15582 ✓
Tract Two: Section Six (6) except for road right of way, Township Twenty-five (25) South, Range Thirty-four (34) West of the 6th P.M., Finney County, Kansas, except all mineral rights. Together with all water rights appurtenant thereto.

21387 ✓
Tract Three: Section Seven (7), Township Twenty-five (25) South, Range Thirty-four (34) West of the 6th P.M., Finney County, Kansas, except oil, gas and/or minerals. Together with all water rights appurtenant thereto.

21388 ✓
Tract Four: and Section Eight (8), Township Twenty-five (25) South, Range Thirty-four (34) West of the 6th P.M., Finney County, Kansas, except oil, gas and/or minerals. Together with all water rights appurtenant thereto.