



File No. **21390**      11. County: **KE**      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
<b>DEL</b>				<b>14089</b>												
<b>ENT</b>				<b>NW SE SW</b>	<b>1</b>	<b>25S</b>	<b>35W</b>		<b>1231</b>	<b>3854</b>		<b>860</b>	<b>267</b>	<b>860</b>	<b>267</b>	<b>NONE</b>
<b>CHK</b>	<b>38037</b>			<b>NW SE NW</b>	<b>1</b>	<b>25S</b>	<b>35W</b>	<b>2</b>	<b>3885</b>	<b>3613</b>		<b>865</b>	<b>275</b>	<b>865</b>	<b>275</b>	<b>NONE</b>
<b>CHK</b>	<b>65077</b>			<b>SW NW SE</b>	<b>1</b>	<b>25S</b>	<b>35W</b>	<b>5</b>	<b>1340</b>	<b>2165</b>		<b>875</b>	<b>273</b>	<b>875</b>	<b>273</b>	<b>NONE</b>
<b>CHK</b>	<b>83161</b>			<b>SE NW NE</b>	<b>1</b>	<b>25S</b>	<b>35W</b>	<b>6</b>	<b>4243</b>	<b>1461</b>		<b>860</b>	<b>273</b>	<b>860</b>	<b>273</b>	<b>NONE</b>

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					
<b>CHK</b>				<b>13202</b>																									

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](http://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 26<sup>th</sup> 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 26<sup>th</sup> 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**  
 4:42 PM  
 APR 16 2021

File No. 21390 \_\_\_\_\_

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 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      NW      Quarter of the      SE      Quarter of the      SW      Quarter  
 of Section      1     , Township      25      South, Range      35      (W),  
 in Kearny      County, Kansas,      1307      feet North      3760      feet West of Southeast corner of section.  
 Authorized Rate      Authorized Quantity      Depth of well      (feet)  
**(DWR use only: Computer ID No. 3      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      SE      Quarter of the      SW      Quarter  
 of Section      1     , Township      25      South, Range      35      W,  
 in Kearny      County, Kansas,      1231      feet North      3854      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      NW      Quarter of the      SE      Quarter of the      NW      Quarter  
 of Section      1     , Township      25      South, Range      35      W,  
 in Kearny      County, Kansas,      3885      feet North      3613      feet West of Southeast corner of section.  
 Authorized Rate      Authorized Quantity      Depth of well      (feet)  
**(DWR use only: Computer ID No. 2      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

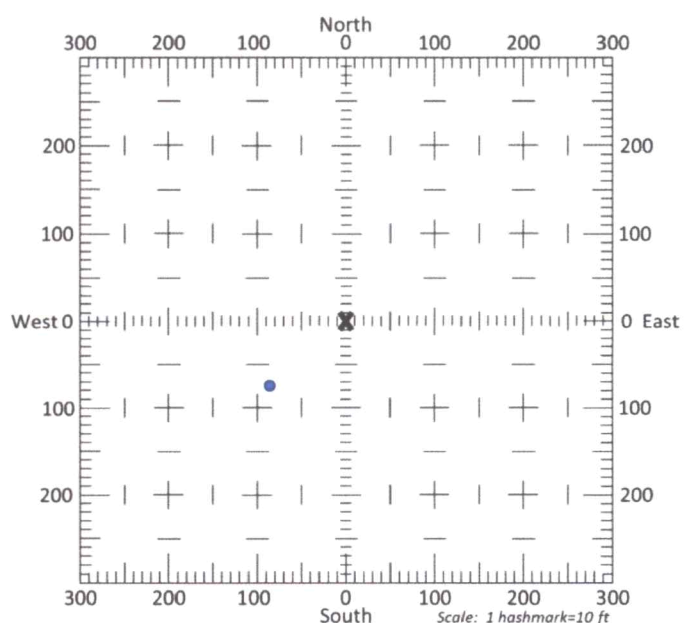
9. The change(s) (was)(will be) completed by?  
 \_\_\_\_\_

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
 \_\_\_\_\_  
 (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. 21390

**Presently authorized point of diversion:**

One in the SW Quarter of the NW Quarter of the SE Quarter  
of Section 1, Township 25 South, Range 35 (W),  
in Kearny County, Kansas, 1340 feet North 2165 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:  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 \_\_\_\_\_ (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 SE Quarter of the NW Quarter of the NE Quarter  
of Section 1, Township 25 South, Range 35 W,  
in Kearny County, Kansas, 4243 feet North 1461 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)**

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).

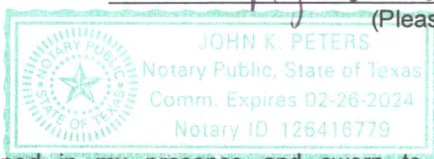
I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Seminole, TX, Kansas, this 15<sup>th</sup> day of April, 2021.

Jacob Loewen  
(Owner)  
Jacob Loewen  
(Please Print)  
Martin Loewen  
(Owner)  
Martin Loewen  
(Please Print)  
Martin Loewen  
(Owner)  
Fernando Loewen  
(Please Print)

Susana Loewen  
(Spouse)  
Susana Loewen  
(Please Print)  
Lisa Loewen  
(Spouse)  
Lisa Loewen  
(Please Print)  
Arqueth Loewen  
(Spouse)  
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 15<sup>th</sup> day of April, 2021.

[Signature]  
Notary Public

My Commission Expires 2/26/2024.

**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. County. )

This instrument was filed for record on the

day of 20, at o'clock M., and duly recorded in Book of Deeds, at page

Register of Deeds.

By Deputy.

FEES.

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

THIS DEED, MADE THIS 14 day of Dec 2020, 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 Carnes County, in the State of Texas, 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 Kearny County, State of KANSAS, to-wit:

SEE ATTACHED "EXHIBIT A"

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.

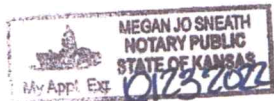
IN WITNESS WHEREOF, First party has caused this Deed be signed on its behalf by Bruce Mueller, General Manager and CEO, thereunto duly authorized so to do, the day and year first above written.

WHEATLAND ELECTRIC COOPERATIVE, INC.

By Bruce Mueller, General Manager and CEO

STATE OF KANSAS ) )ss: COUNTY OF Finney )

BE IT REMEMBERED, That on this 14th day of Decemb 2020, 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 01.23, 2022.



WR:  
21390

"EXHIBIT A"

Tract One: All of Section One (1), Township Twenty-five (25) South, Range Thirty-five (35) West of the 6th P.M., Kearny County, Kansas, except all mineral rights. Together with all water rights appurtenant thereto.

Tract Two: The North Half (N/2) and Southeast Quarter (SE/4) of Section Twelve (12), Township Twenty-five (25) South, Range Thirty-five (35) West of the 6th P.M., Kearny County, Kansas, except all mineral rights. Together with all water rights appurtenant thereto. EXCEPT: a tract located in the Southeast Quarter of Section 12, Township 25 South, Range 35 West of the 6th P.M., Kearny County, Kansas more particularly described as follows:

21389-01

Commencing at the Southwest corner of said Section 12 being a found grader blade, set 1/2" R-bar, Parks cap typical to surface; thence North 01°43'13" East of the West line of said Section 12 as evidenced by the line between the found grader blade at the Southwest corner of said Section 12 and the found 1/2" R-bar, Matthews, at the surface at the Northwest corner of said Section 12 a distance of 2634.32 feet; thence South 88°16'47" East a distance of 2690.85 feet to the point of beginning being a set 1/2" R-bar; thence continuing South 88°16'47" East a distance of 745.62 feet to a set 1/2" R-bar; thence South 43°17'54" West a distance of 1120.17 feet to a set 1/2" R-bar; thence North 01°34'04" East a distance of 837.95 feet to the point of beginning

STATE OF KANSAS } ss  
KEARNY COUNTY }  
This instrument was filed for record on the  
11<sup>th</sup> day of January A.D. 2021 at  
11:40 o'clock A.M., and duly recorded in  
Book 303 of record, at Page 50  
Melissa Genitzen  
REGISTER OF DEEDS  
By \_\_\_\_\_ Deputy  
Rec. Fee \$ 55.<sup>00</sup>



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

Entered in Transfer Record in my Office this  
11<sup>th</sup> day of January A.D. 2021  
Katherine Gabel Dwyer  
County Clerk