

NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 50256
This item to be completed by the Division of Water Resources.

Water Resources
Received

MAY 17 2019
11:09
KS Dept Of Agriculture

**APPLICATION FOR PERMIT TO
APPROPRIATE WATER FOR BENEFICIAL USE**

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule attached to this application form.)

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,
1320 Research Park Drive, Manhattan, KS 66502:

1. Name of Applicant (Please Print): Long Range Capital, LLC
Address: 893 Rd 16
City: Coldwater State KS Zip Code 67029
Telephone Number: (706) 473-9256

2. The source of water is: surface water in _____ (stream)
OR groundwater in Salt Fork Arkansas River (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 50 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 100 gallons per minute OR _____ cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for (Check use intended):
(a) Artificial Recharge (b) Irrigation (c) Recreational (d) Water Power
(e) Industrial (f) Municipal (g) Stockwatering (h) Sediment Control
(i) Domestic (j) Dewatering (k) Hydraulic Dredging (l) Fire Protection
(m) Thermal Exchange (n) Contamination Remediation

YOU **MUST** COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

For Office Use Only:							
F.O.	<u>2</u>	GMD	<input checked="" type="checkbox"/>	Meets K.A.R. 5-3-1	(YES/NO)	Use	<u>REC</u>
Code	<u>REG</u>	Fee \$	<u>200</u>	TR #		Source	<u>G/S</u>
		Receipt Date	<u>5/17/19</u>	County	<u>CM</u>	By	<u>DAW</u>
		Check #	<u>1008</u>	Date	<u>5/17/19</u>		

5/29/2019 LLM

5. The location of the proposed wells, pump sites or other works for diversion of water is:

Note: For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

- (A) One in the ____ quarter of the ____ quarter of the SE quarter of Section 33, more particularly described as being near a point ____ feet North and ____ feet West of the Southeast corner of said section, in Township 33 South, Range 18 West, Comanche County, Kansas.
- (B) One in the ____ quarter of the ____ quarter of the ____ quarter of Section ____, more particularly described as being near a point ____ feet North and ____ feet West of the Southeast corner of said section, in Township ____ South, Range ____ East/West (circle one), ____ County, Kansas.
- (C) One in the ____ quarter of the ____ quarter of the ____ quarter of Section ____, more particularly described as being near a point ____ feet North and ____ feet West of the Southeast corner of said section, in Township ____ South, Range ____ East/West (circle one), ____ County, Kansas.
- (D) One in the ____ quarter of the ____ quarter of the ____ quarter of Section ____, more particularly described as being near a point ____ feet North and ____ feet West of the Southeast corner of said section, in Township ____ South, Range ____ East/West (circle one), ____ County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

6. The owner of the point of diversion, if other than the applicant is (please print):

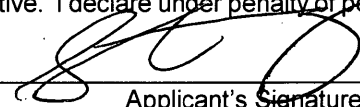
(name, address and telephone number)

(name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 2, 2019.


Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

7. The proposed project for diversion of water will consist of 1 well
(number of wells, pumps or dams, etc.)
and (was)(will be) completed (by) Existing
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be ASAP
(Month/Day/Year)

Water Resources
Received

MAY 17 2019

- 9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?
 Yes No If "yes", a check valve shall be required.

All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

- 10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources? Yes No

- If yes, show the Water Structures permit number here _____
- If no, explain here why a Water Structures permit is not required This is for maintaining water level of pre-existing pond.

- 11. The application must be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

- 12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

Water Resources
Received

MAY 17 2019

13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from: Test holes Well as completed Drillers log attached

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	<u>12/26/13</u>	_____	_____	_____
Total depth of well	<u>210</u>	_____	_____	_____
Depth to water bearing formation	<u>150</u>	_____	_____	_____
Depth to static water level	<u>86</u>	_____	_____	_____
Depth to bottom of pump intake pipe	<u>210</u>	_____	_____	_____

14. The relationship of the applicant to the proposed place where the water will be used is that of

OWNER
(owner, tenant, agent or otherwise)


15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

(name, address and telephone number)

(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at Comanche County, Kansas, this 2 day of May, 2019.
(month) (year)



(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by _____ ESII _____ Date: 4/5/2019
(office/title)

Water Resources
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MAY 17 2019

KS Dept Of Agriculture

**RECREATIONAL USE
SUPPLEMENTAL SHEET**

File No. 50256

Name of Applicant (Please Print): Long Range Capital, LLC

1. Please indicate type of recreational use (boating, fishing, swimming, etc.): fishing, swimming, hunting, wildlife observation

2. Please summarize how the water will be used and justify the quantity of water requested: The water will be used to maintain the water level of our 6 acre pond and 1.5 acre overflow pond for recreational purposes. The ponds are presently fairly low but we hope after we are able to raise the level we will be able to better maintain the higher level.

3. Please complete the following table showing estimated future water requirements:

ESTIMATED FUTURE WATER DIVERTED/STORED	
NEXT 5 YEARS	WATER TO BE DIVERTED (ACRE-FEET OR GALLONS)
Year 1	45 acre-foot
Year 2	40 acre-foot
Year 3	35 acre-foot
Year 4	30 acre-foot
Year 5	30 acre-foot

Please attach any additional information, tables, or curves showing past, present and estimated future water requirements to substantiate the amount of water requested.

4. Please designate the legal description of the location where the water is to be used by providing the fractional part of the Section, Township and Range.

SE quarter of Section 33, in Township 33 South, Range 18 West,
Comanche County, Kansas

You may attach any additional information you believe will assist in informing the Division of the need for your request.

Water Resources

Received

MAY 17 2019

5/2/19
(Date)

Kansas Department of Agriculture
Division of Water Resources
David W. Barfield, Chief Engineer
109 SW 9th Street, 2nd Floor
Topeka, Kansas 66612-1283

Re: Application
File No. 50254

Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

[Handwritten Signature]
Signature of Applicant

Steven Crowley
(Print Applicant's Name)

State of Kansas)
County of Comanche) ss

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 2 day of May, 2019.

ASHTA ROSSON
Notary Public - State of Kansas
My Appt. Expires 01/06/2020

[Handwritten Signature]
Notary Public

My Commission Expires: 01/06/2020

Water Resources
Received

MAY 17 2019

KS Dept Of Agriculture

50256

**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River
Big Blue River
Chapman Creek
Chikaskia River
Cottonwood River
Delaware River
Little Arkansas River
Little Blue River
Marais des Cygnes River
Medicine Lodge River
Mill Creek (Wabaunsee Co. area)
Neosho River

Ninnescah River
North Fork Ninnescah River
Rattlesnake Creek
Republican River
Saline River
Smoky Hill River
Solomon River
South Fork Ninnescah
Spring River
Walnut River
Whitewater River

Water Resources
Received

MAY 17 2019

KS Dept Of Agriculture

DIVISION OF WATER RESOURCES
KANSAS DEPARTMENT OF AGRICULTURE

50254

**INSTRUCTIONS
FOR COMPLETING APPLICATIONS FOR
PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE**

Following is a brief description of general information needed on an application for permit to appropriate water for beneficial use. Separate applications must be filed if it is proposed to appropriate water from more than one source or for more than one beneficial use of water. Read all details on the application prior to filling out the form. Submit with your application only the supplemental sheets relative to your proposed use of water. Please provide complete information.

1. Give the total quantity of water desired in acre-feet or million gallons per year and the maximum proposed rate of diversion in gallons per minute or cubic feet per second.
2. Give the legal description of the location at which water is proposed to be diverted from the natural source of supply. Distances in feet North and West of the Southeast corner of the section must be shown.
3. Show the purpose or purposes for which water is to be used and the maximum amount of water for each use. The sum of these amounts should be equal to the total quantity indicated in Paragraph No. 3. A separate application may be required for different uses of water.
4. If for municipal or industrial use, a water conservation plan may be required and other information showing past, present, and future water needs. This must be supplemented by information to substantiate future population growth and/or increase of industrial production. The place of use must be shown by crosshatching the location of the property on a map, of the appropriate scale as indicated in the application, and giving a legal description showing the section, township, range and portions of the quarters or halves generally describing the area on the map. If an entity such as a city or rural water district is where the water will be used, a description and explanation of all the places where the water goes will be needed, including other entities receiving water and the areas they supply, etc. Immediate vicinity means within one-half (1/2) mile of the corporate limits of the entity.
5. If for irrigation use, a water conservation plan consistent with the guidelines developed and maintained by the Kansas Water Office may be required. For the place of use, give the legal description of all the land proposed to be irrigated under the application by showing the actual number of acres of land to be irrigated in each forty-acre tract and give the name and mailing address of each of the owners of record of the land involved. If the land is being purchased on contract, also show the name and address of the contract purchaser.
6. Give a brief description of the proposed works for diversion of water and proposed date when the well, pump site, dam, or other works for diversion of water will be completed. Show the location of water meters and other measuring devices and the location of pipeline to distribute the water.
7. Give estimated date of first actual use of water under the proposed appropriation.
8. Indicate if any pesticide or fertilizer will be injected into the water pumped from the diversion works.
9. List the file numbers of any water rights which cover the same diversion points or the same place of use described in this application. An explanation as to how all water rights will be used must be supplied. Information about the source of water at the proposed location must be supplied. All wells or diversion sites in the same source within one-half (1/2) mile must be shown on a map with the names and mailing addresses of the owners; you must sign the map and state that all of the owners have been shown, if they have all been shown.
10. If the signer of the application is not the owner of the land where the water is used, show the relationship as agent, tenant, contract buyer or otherwise.
11. If the signer of the application is not the owner of the point of diversion, you must provide evidence of legal access to or control of the point of diversion from the landowner or the landowners authorized representative. You may provide a copy of a recorded deed, lease, easement or other document with the application. In lieu of providing documentary evidence, you may sign the sworn statement contained within the application.
12. The name and address of the water use report correspondent must be shown. If other than an owner, an owner must designate the person in writing, on the appropriate form.

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Received

MAY 17 2019

KS Dept Of Agriculture

WATER WELL RECORD Form WWC-5

Division of Water Resources App. No. **50250**

Well ID

Original Record Correction Change in Well Use

1 LOCATION OF WATER WELL: County: Comanche Fraction NW 1/4 NE 1/4 SE 1/4 SE 1/4 Section Number 33 Township Number T 33 S Range Number R 18 E W

2 WELL OWNER: Last Name: First: Street or Rural Address where well is located (if unknown, distance and direction from nearest town or intersection): If at owner's address, check here:
 Business: River North Farms Address: 600 N Carroll Ave City: South Lake State: Texas ZIP: 76902
 From Buttermilk 3 East and 1 North

3 LOCATE WELL WITH "X" IN SECTION BOX:

NW	NE
SW	SE X

4 DEPTH OF COMPLETED WELL: 210 ft.
 Depth(s) Groundwater Encountered: 1) 86 ft. 2) 205 ft. 3) ft., or 4) Dry Well
WELL'S STATIC WATER LEVEL: 86 ft.
 below land surface, measured on (mo-day-yr) 12/26/2013
 above land surface, measured on (mo-day-yr)
 Pump test data: Well water was ft. after hours pumping gpm
 Well water was ft. after hours pumping gpm
 Estimated Yield: 100 gpm
 Bore Hole Diameter: 10 in. to 210 ft. and in. to ft.

5 Latitude: 37.1235 (decimal degrees)
Longitude: 99.2724 (decimal degrees)
 Datum: WGS 84 NAD 83 NAD 27
Source for Latitude/Longitude:
 GPS (unit make/model: (WAAS enabled? Yes No)
 Land Survey Topographic Map
 Online Mapper:
6 Elevation: 1907 ft. Ground Level TOC
 Source: Land Survey GPS Topographic Map
 Other KOLAR

7 WELL WATER TO BE USED AS:

1. <input type="checkbox"/> Domestic <input type="checkbox"/> Household <input type="checkbox"/> Lawn & Garden <input checked="" type="checkbox"/> Livestock	2. <input type="checkbox"/> Irrigation	3. <input type="checkbox"/> Feedlot	4. <input type="checkbox"/> Industrial	5. <input type="checkbox"/> Public Water Supply: well ID	6. <input type="checkbox"/> Dewatering: how many wells?	7. <input type="checkbox"/> Aquifer Recharge: well ID	8. <input type="checkbox"/> Monitoring: well ID	9. Environmental Remediation: well ID	10. <input type="checkbox"/> Oil Field Water Supply: lease	11. Test Hole: well ID	12. Geothermal: how many bores?	13. <input type="checkbox"/> Other (specify):
---	--	-------------------------------------	--	--	---	---	---	---	--	------------------------------	---------------------------------------	---

Was a chemical/bacteriological sample submitted to KDHE? Yes No If yes, date sample was submitted:
 Water well disinfected? Yes No

8 TYPE OF CASING USED: Steel PVC Other CASING JOINTS: Glued Clamped Welded Threaded
 Casing diameter 6 in. to 210 ft., Diameter in. to ft., Diameter in. to ft.
 Casing height above land surface 24 in. Weight lbs./ft. Wall thickness or gauge No. SDR 17
TYPE OF SCREEN OR PERFORATION MATERIAL:
 Steel Stainless Steel Fiberglass PVC Other (Specify)
 Brass Galvanized Steel Concrete tile None used (open hole)
SCREEN OR PERFORATION OPENINGS ARE:
 Continuous Slot Mill Slot Gauze Wrapped Torch Cut Drilled Holes Other (Specify)
 Louvered Shutter Key Punched Wire Wrapped Saw Cut None (Open Hole)
SCREEN-PERFORATED INTERVALS: From 150 ft. to 210 ft., From ft. to ft., From ft. to ft.
GRAVEL PACK INTERVALS: From 209 ft. to 210 ft., From ft. to ft., From ft. to ft.

9 GROUT MATERIAL: Neat cement Cement grout Bentonite Other
 Grout Intervals: From 0 ft. to 25 ft., From ft. to ft., From ft. to ft.

Nearest source of possible contamination:
 Septic Tank Lateral Lines Pit Privy Livestock Pens Insecticide Storage
 Sewer Lines Cess Pool Sewage Lagoon Fuel Storage Abandoned Water Well
 Watertight Sewer Lines Seepage Pit Feedyard Fertilizer Storage Oil Well/Gas Well
 Other (Specify)
 Direction from well? Distance from well? ft.

10 FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	20	Topsoil and Brown Sandy Clay			
20	30	Sand			
30	80	Sandy Clay			
80	127	Gray Clay			
127	205	Gray & Red Clay			
205	213	Void			

Notes:
 Eagle Loc Casing
 We did not gravel pack, left open hole

11 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, reconstructed, or plugged under my jurisdiction and was completed on (mo-day-year) 12/26/2013 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 845 This Water Well Record was completed on (mo-day-year) 12/27/2013 under the business name of Crescent Services



Security 1st Title

50256

January 30, 2019

Long Range Capital, LLC, a Georgia limited liability company
PO Box 1001
Madison, GA 30650

Dear Long Range Capital, LLC, a Georgia limited liability company;

Enclosed is your Warranty Deed and Owner's Policy of Title Insurance issued in the amount of \$192,000.00. The premium is paid in full, and the coverage continues as long as Long Range Capital, LLC, a Georgia limited liability company owns the real estate. You should read the policy very carefully and keep it in a safe place.

If anyone ever makes a claim of interest in the title to your real estate, please let us know at once.

Our Company has been the leader for quality title evidence for over 65 years. We would appreciate your consideration for future title needs.

Thank you for the opportunity to handle this transaction.

Sincerely,

Security 1st Title, LLC

Judy Argyle
Policy Department Manager

Water Resources
Received

MAY 17 2019

KS Dept Of Agriculture

0654

50250

PHOTOCOPIED

Entered in transfer record this
10th day of January, 2019
Beth S. Bynne
Comanche County Clerk

20190013
STATE OF KANSAS, COMANCHE COUNTY
This instrument was filed for Record on
1/10/2019 at 1:30 PM and duly recorded
Book 62 Page 654 Fees \$21.00

Heather Puderbaugh, Register of Deeds

STATUTORY WARRANTY DEED

Grantor(s): River North Farms Incorporated, a Oklahoma corporation

Convey(s) and Warrant(s) to Long Range Capital, LLC, a Georgia limited liability company

The following described premises, to-wit:

The Southeast Quarter of the Southeast Quarter (SE/4 SE/4) of Section
Thirty-three (33), Township Thirty-three (33) South, Range Eighteen
(18) West of the Sixth Principal Meridian, Comanche County, Kansas.

For the sum of One Dollar and other good and valuable consideration.

Subject to: easements and restrictions of record, if any

Dated this 2nd day of January, 2019

River North Farms Incorporated, a Oklahoma corporation


By: [Signature]
Dale E. Behan, President

State of Texas, Tarrant County} ss.

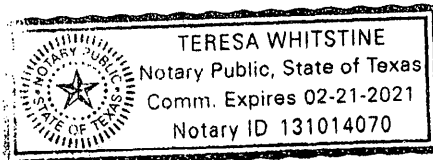
This instrument was acknowledged before me on January 2nd, 2019 by Dale E. Behan,
President of River North Farms Incorporated, for and on behalf of said company.

[Signature]
Notary Public
Water Resources
Received

My appointment expires:

 Security 1st Title

File No. 2284538
Page 1 of 2



MAY 17 2019

KS Dept Of Agriculture



50250
Owner's Policy of Title Insurance

ISSUED BY

First American Title Insurance Company

POLICY NUMBER

5011420-124651

Owner's Policy

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, **FIRST AMERICAN TITLE INSURANCE COMPANY**, a California corporation (the "Company") insures, as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from
 - (a) A defect in the Title caused by
 - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
 - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
 - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
 - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
 - (vii) a defective judicial or administrative proceeding.
 - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
3. Unmarketable Title.
4. No right of access to and from the Land.

(Covered Risks Continued on Page 2)

In Witness Whereof, First American Title Insurance Company has caused its corporate name to be hereunto affixed by its authorized officers as of Date of Policy shown in Schedule A.

First American Title Insurance Company



Dennis J. Gilmore

Dennis J. Gilmore
President

Timothy Kemp

Timothy Kemp
Secretary

For Reference:

File #: 2284538

Issued By:

Security 1st Title, LLC

109 W. Main
Anthony, KS 67003
Tel: 620-842-3333

Water Resources
Received

MAY 17 2019

(This Policy is valid only when Schedules A and B are attached)

This jacket was created electronically and constitutes an original document

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COVERED RISKS (Continued)

502510

- 5. The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to-
 - (a) the occupancy, use, or enjoyment of the Land;
 - (b) the character, dimensions, or location of any improvement erected on the Land;
 - (c) the subdivision of land; or
 - (d) environmental protection
 if a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.
- 6. An enforcement action based on the exercise of a governmental police power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded in the Public Records, but only to the extent of the enforcement referred to in that notice.
- 7. The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.
- 8. Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without Knowledge.
- 9. Title being vested other than as stated in Schedule A or being defective
 - (a) as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy, of a transfer of all or any part of the title to or any interest in the Land occurring prior to the transaction vesting Title as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or
 - (b) because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records
 - (i) to be timely, or
 - (ii) to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.
- 10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to Date of Policy and prior to the recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this Policy, but only to the extent provided in the Conditions.

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

- 1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
- 2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- 3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy.
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
- 4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
- 5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

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ALTA Owner's Policy of Title Insurance (6-17-06)

Kansas

CONDITIONS

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1. DEFINITION OF TERMS

The following terms when used in this policy mean:

- (a) "Amount of Insurance": The amount stated in Schedule A, as may be increased or decreased by endorsement to this policy, increased by Section 8(b), or decreased by Sections 10 and 11 of these Conditions.
- (b) "Date of Policy": The date designated as "Date of Policy" in Schedule A.
- (c) "Entity": A corporation, partnership, trust, limited liability company, or other similar legal entity.
- (d) "Insured": The Insured named in Schedule A.
 - (i) The term "Insured" also includes
 - (A) successors to the Title of the Insured by operation of law as distinguished from purchase, including heirs, devisees, survivors, personal representatives, or next of kin;
 - (B) successors to an Insured by dissolution, merger, consolidation, distribution, or reorganization;
 - (C) successors to an Insured by its conversion to another kind of Entity;
 - (D) a grantee of an Insured under a deed delivered without payment of actual valuable consideration conveying the Title
 - (1) if the stock, shares, memberships, or other equity interests of the grantee are wholly-owned by the named Insured,
 - (2) if the grantee wholly owns the named Insured,
 - (3) if the grantee is wholly-owned by an affiliated Entity of the named Insured, provided the affiliated Entity and the named Insured are both wholly-owned by the same person or Entity, or
 - (4) if the grantee is a trustee or beneficiary of a trust created by a written instrument established by the Insured named in Schedule A for estate planning purposes.
 - (ii) With regard to (A), (B), (C), and (D) reserving, however, all rights and defenses as to any successor that the Company would have had against any predecessor Insured.
- (e) "Insured Claimant": An Insured claiming loss or damage.
- (f) "Knowledge" or "Known": Actual knowledge, not constructive knowledge or notice that may be imputed to an Insured by reason of the Public Records or any other records that impart constructive notice of matters affecting the Title.
- (g) "Land": The land described in Schedule A, and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is insured by this policy.
- (h) "Mortgage": Mortgage, deed of trust, trust deed, or other security instrument, including one evidenced by electronic means authorized by law.
- (i) "Public Records": Records established under state statutes at Date of Policy for the purpose of imparting constructive

notice of matters relating to real property to purchasers for value and without Knowledge. With respect to Covered Risk 5(d), "Public Records" shall also include environmental protection liens filed in the records of the clerk of the United States District Court for the district where the Land is located.

- (j) "Title": The estate or interest described in Schedule A.
- (k) "Unmarketable Title": Title affected by an alleged or apparent matter that would permit a prospective purchaser or lessee of the Title or lender on the Title to be released from the obligation to purchase, lease, or lend if there is a contractual condition requiring the delivery of marketable title.

2. CONTINUATION OF INSURANCE

The coverage of this policy shall continue in force as of Date of Policy in favor of an Insured, but only so long as the Insured retains an estate or interest in the Land, or holds an obligation secured by a purchase money Mortgage given by a purchaser from the Insured, or only so long as the Insured shall have liability by reason of warranties in any transfer or conveyance of the Title. This policy shall not continue in force in favor of any purchaser from the Insured of either (i) an estate or interest in the Land, or (ii) an obligation secured by a purchase money Mortgage given to the Insured.

3. NOTICE OF CLAIM TO BE GIVEN BY INSURED CLAIMANT

The Insured shall notify the Company promptly in writing (i) in case of any litigation as set forth in Section 5(a) of these Conditions, (ii) in case Knowledge shall come to an Insured hereunder of any claim of title or interest that is adverse to the Title, as insured, and that might cause loss or damage for which the Company may be liable by virtue of this policy, or (iii) if the Title, as insured, is rejected as Unmarketable Title. If the Company is prejudiced by the failure of the Insured Claimant to provide prompt notice, the Company's liability to the Insured Claimant under the policy shall be reduced to the extent of the prejudice.

4. PROOF OF LOSS

In the event the Company is unable to determine the amount of loss or damage, the Company may, at its option, require as a condition of payment that the Insured Claimant furnish a signed proof of loss. The proof of loss must describe the defect, lien, encumbrance, or other matter insured against by this policy that constitutes the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage.

5. DEFENSE AND PROSECUTION OF ACTIONS

(a) Upon written request by the Insured, and subject to the options contained in Section 7 of these Conditions, the Company, at its own cost and without unreasonable delay, shall provide for the defense of an Insured in litigation in which any third party asserts a claim covered by this policy adverse to the Insured. This obligation is limited to only those stated causes of action alleging matters insured against by this policy. The Company shall have the right to select counsel of its choice (subject to the right of the Insured to object for reasonable cause) to represent the Insured as to those stated causes of action. It shall not be liable for and will not pay the fees of any other counsel. The Company will not pay any fees, costs, or expenses incurred by the Insured in the defense of those causes of action that allege matters not insured against by this policy.

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KS Dept Of Agriculture

50256

OWNER'S POLICY OF TITLE INSURANCE

Issued by

First American Title Insurance Company

SCHEDULE A

Name and Address of Title Insurance Company:
FIRST AMERICAN TITLE INSURANCE COMPANY
1 First American Way, Santa Ana, California 92707

File No.: **2284538**

Policy No.: **5011420-124651**

Address Reference: **893 RD 16, Coldwater, KS 67029**

Amount of Insurance: **\$192,000.00**

Date of Policy: **January 10, 2019, at 1:30 pm**

1. Name of Insured:
Long Range Capital, LLC, a Georgia limited liability company

2. The estate or interest in the Land that is insured by this policy is:
Fee Simple

3. Title is vested in:
Long Range Capital, LLC, a Georgia limited liability company

4. The Land referred to in this policy is described as follows:
The Southeast Quarter of the Southeast Quarter (SE/4 SE/4) of Section Thirty-three (33), Township Thirty-three (33) South, Range Eighteen (18) West of the Sixth Principal Meridian, Comanche County, Kansas.

50250

OWNER'S POLICY OF TITLE INSURANCE

Issued by

First American Title Insurance Company

SCHEDULE B

File No.: 2284538

Policy No.: 5011420-124651

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

1. Deleted.
2. Easements, or claims of easements, not shown by the Public Records.
3. Any encroachment, encumbrance, violation, variation or adverse circumstances affecting Title that would be disclosed by an accurate and complete survey of the Land or that could be ascertained by an inspection of the land.
4. Deleted.
5. Deleted.
6. Deleted.
7. **General taxes and special assessments for the year 2019 and subsequent years not yet due and payable.**
8. **Terms and provisions of the oil and gas leases executed between Ross Deewall and Barbara Deewall, husband and wife, lessor, and T.S. Dudley Land Company, Inc., lessee, filed November 24, 2008, recorded in/on Oil and Gas Book 110, Page 483, together with all subsequent assignments and conveyances. Extension of Oil and Gas Lease recorded July 27, 2011 for an additional 2 years in Oil and Gas Book 112, Page 666.**
9. **Right of Way Easement executed by Ralph Deewall and Irene Deewall, his wife and Rural Water District No 2 recorded November 24, 1972 in Misc. Book 13, Page 662.**
10. **Easements and rights of ways for roadways, streets and highways.**
11. **An easement for Overhead Electric Line, recorded as Book M27, Page 711.
In favor of: CMS Electric Cooperative, Inc.
Affects: SE/4 SE/4**
12. **The possible existence of overhead or underground utility lines serving adjacent land or extending from the insured land onto adjacent land.**
13. **Subject to existing road, street or highway rights of way.**
14. **Any claim to (a) ownership of or rights to minerals and similar substances, including but not limited to ores, metals, coal, lignite, oil, gas, uranium, clay, rock, sand, and gravel located in, on, or under the Land or produced from the Land, whether such ownership or rights arise by lease, grant, exceptions, conveyance, reservation, or otherwise; and (b) any rights, privileges, immunities, rights of way, and easements associated therewith or appurtenant thereto, whether or not the interest or rights excepted in (a) or (b) appear in the Public Records or are shown in Schedule B.**
15. **The definition of land as described in the policy does not include any manufactured home or mobile home located on the insured premises.**

Water Resources
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MAY 17 2019

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



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

Mike Beam, Secretary

Laura Kelly, Governor

May 28, 2019

LONG RANGE CAPITAL LLC
893 RD 16
COLDWATER, KS 67029

RE: Application, File No. **50256**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application for a permit to appropriate water for beneficial use. Your application has been assigned the file number referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation Act, the use of water as proposed prior to approval of the application is unlawful.

Additional information about the process may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any other questions, please contact our office at 785-564-6640 or your local Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

File No.

33S18W33

33S

Existing Well

1 inch = 1,000 feet

34S18W04



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

- ProposedPD
- ▲ Water Rights
- ▨ ProposedPlaceOfUse
- ✚ SFFOsec_corners



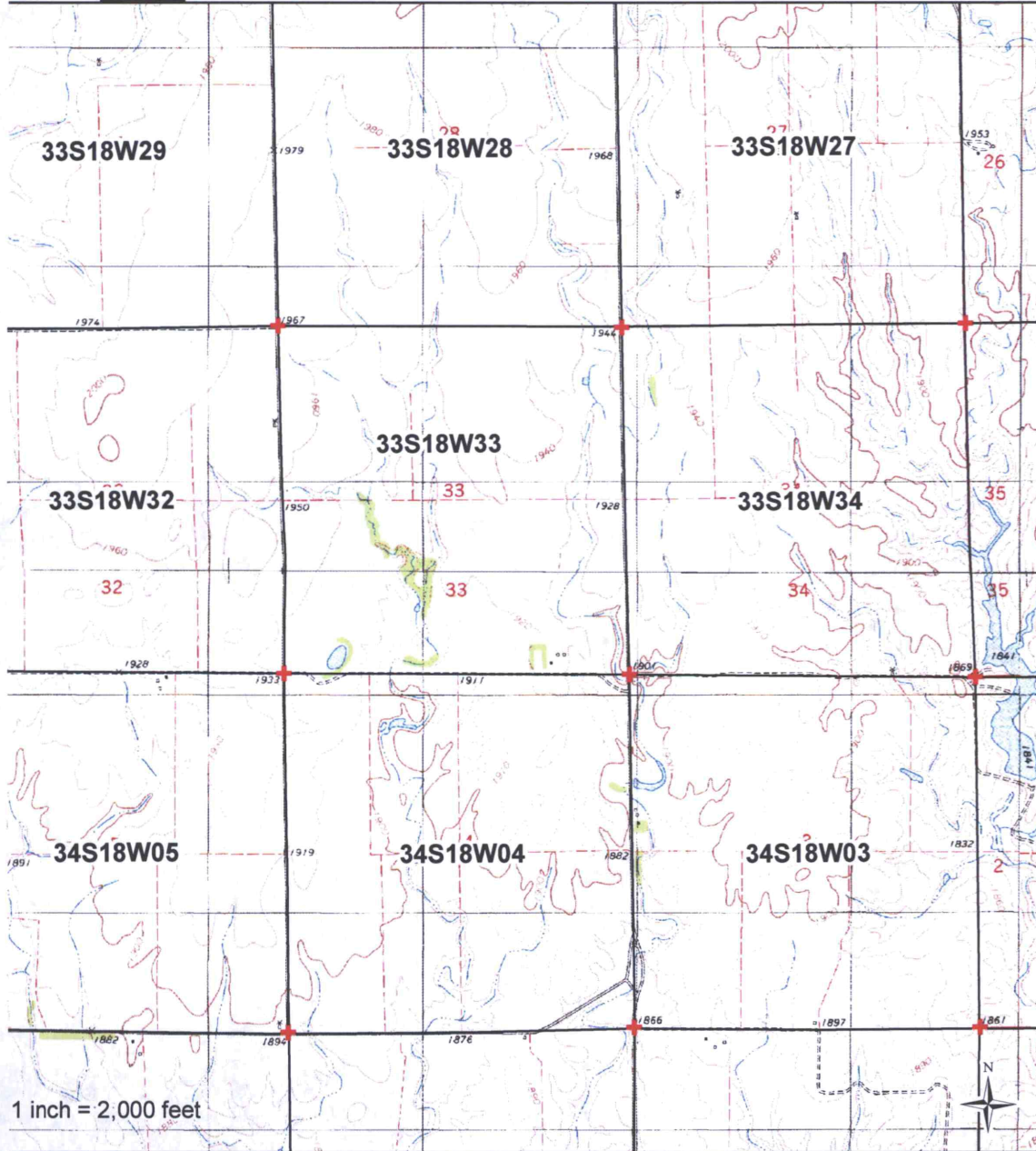
Created By: Matt Meier
F.O. 2
Date: 4/5/2019

Water Resources
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MAY 17 2019

KS Dept Of Agriculture

File No. _____



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

- ProposedPD
- ▲ Water Rights
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Created By: Matt Meier
F.O. 2
Date: 4/5/2019

Water Resources
Received

MAY 17 2019

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