

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: PU WORKSHEET

| | | | | |
|---------------------------------|--|-----------------------------|------------------------------|---------------------|
| 1. File Number: 24273 | 2. Status Change Date: <i>1-13-2023</i> | 3. Change Num: C1 | 4. Field Office: 4 | 5. GMD: 3 |
|---------------------------------|--|-----------------------------|------------------------------|---------------------|

| | |
|--|--|
| 6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return | 7. Filing Date of Change: 01/12/2023 |
|--|--|

| | |
|---|---|
| 8a. Landowner, applicant, WUC New to system <input type="checkbox"/> Person ID <u>19169</u> Add Seq# _____ LEROY WENDEL Attn: DANIEL WENDEL PO BOX 117 INGALLS, KS 67853-0117 | 8c. Landowner(s) New to system <input type="checkbox"/> Person _____ Add Seq# _____ |
|---|---|

| | |
|--|---|
| 8b. Landowner(s), New to system <input type="checkbox"/> Person ID <u>39063</u> Add Seq# _____ | 8d. WUC New to system <input type="checkbox"/> Person ID _____ Add Seq# _____ |
|--|---|

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/2023** N & P Date to Comply: _____

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

Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **1/13/2023** By: **MAM**
 Date Entered: _____ By: _____

| | | | | | | | | | | | | | | | | | | | | | |
|---|----------------|-----------------------|-------------------|--------------------|------------------|-----------|-----------|-----------|-----------|-----|----|----|----|-----------|-----------|-----------|-----------|------------|-----------|----------|---------------|
| File No. 24273 | 11. County: GY | Basin: ARKANSAS RIVER | Stream: | Formation Code: | Special Use: | | | | | | | | | | | | | | | | |
| 12. Points of Diversion | | | Rate and Quantity | | | | | | | | | | | | | | | | | | |
| CHK | | | | Authorized | Additional | | | | | | | | | | | | | | | | |
| MOD | | | | | | | | | | | | | | | | | | | | | |
| DEL | PDIV | | | | | | | | | | | | | | | | | | | | |
| ENT | Qualifier | S | T | R | ID | | | | | | | | | | | | | | | | |
| | | 'N | 'W | Comment (AKA Line) | Rate gpm | | | | | | | | | | | | | | | | |
| | | | | | Quantity af | | | | | | | | | | | | | | | | |
| | | | | | Rate gpm | | | | | | | | | | | | | | | | |
| | | | | | Quantity af | | | | | | | | | | | | | | | | |
| | | | | | Overlap PD Files | | | | | | | | | | | | | | | | |
| CHK 39529 | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | |
| 13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft | | | | | | | | | | | | | | | | | | | | | |
| 14. Limitation: _____ af/ 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 | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | | | | |
| MOD | | ¼ | ¼ | ¼ | ¼ | ¼ | ¼ | ¼ | ¼ | ¼ | ¼ | ¼ | ¼ | ¼ | ¼ | ¼ | ¼ | | | | |
| DEL | | | | | | | | | | | | | | | | | | | | | |
| ENT | PUSE | S | T | R | ID | | | | | | | | | | | | | | | | |
| ENT | 108 | 11 | 27 | 29W | 01 | | | | | | | | | 40 | 40 | 40 | 40 | 160 | 8a | N | 21865 |
| CHK | 32529 | 14 | 27 | 29W | 02 | 34 | 34 | 34 | 34 | | | | | | | | | 136 | 8a | N | 21865 |
| | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | |
| Base Acres: Year: Minimum Reasonable Quantity: | | | | | | | | | | | | | | | | | | | | | |
| Comments: | | | | | | | | | | | | | | | | | | | | | |

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

January 13, 2023

LEROY WENDEL
Attn: DANIEL WENDEL
PO BOX 117
INGALLS, KS 67853-0117

RE: Field Office Application for Change
Water Right, File Nos. 21865 & 24273

Dear Sir:

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

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. Conditions of these approvals are that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file numbers and meet current specifications. Please return the required notification of completion of the diversion works and installation of the required 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 that reads "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM:
enclosures

pc: GMD3

CERTIFICATE OF SERVICE

On this 13th day of January 2023, I hereby certify that the foregoing Approvals of Application for Change in Place of Use, Water Right, File Nos. 21,865 & 24,273 dated 13th day of January 2023 was mailed postage prepaid, first class, US mail to the following:

LEROY WENDEL
Attn: DANIEL WENDEL
PO BOX 117
INGALLS, KS 67853-0117

Pc:

GMD3



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
 11:01 Am
JAN 12 2023

File No. 24273

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: Leroy Wendel %Daniel Wendel

PO Box 117, Ingalls, KS 67853

Phone Number: (620)339-6401 Email address: _____

Name and address of Water Use Correspondent: SAME

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: Leroy Wendel %Daniel Wendel

ADDRESS: PO Box 117, Ingalls, KS 67853

(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 | |
| 14 | 27s | 29w | 34.0 | 34.0 | 34.0 | 34.0 | | | | | | | | | | | | | 136.0 |
| | | | | | | | | | | | | | | | | | | | |

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: Leroy Wendel %Daniel Wendel

ADDRESS: PO Box 117, Ingalls, KS 67853

(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 | | |
| 11 | 27s | 29w | | | | | | | | | | | | | | | | | | 160.0 |
| 14 | 27s | 29w | 34.0 | 34.0 | 34.0 | 34.0 | | | | | | | | | | | | | | 136.0 |

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 1-12-23 Check # 1207

5. **Presently authorized point of diversion:**

One in the _____ Quarter of the _____ NC _____ Quarter of the _____ NE _____ Quarter of Section _____ 14 _____, Township _____ 27 _____ South, Range _____ 29 _____ (W), in Gray _____ County, Kansas, _____ 3945 _____ feet North _____ 1320 _____ feet West of Southeast corner of section. Authorized Rate _____ 845gpm _____ Authorized Quantity _____ 200AF _____ Depth of well _____ (feet) (DWR use only: Computer ID No. 02 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 _____ (W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____ This point is: Additional Well Geo Center List other water rights that will use this point _____

6. **Presently authorized point of diversion:**

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

This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows: **Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (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) Make a complete overlap in Place of Use _____

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

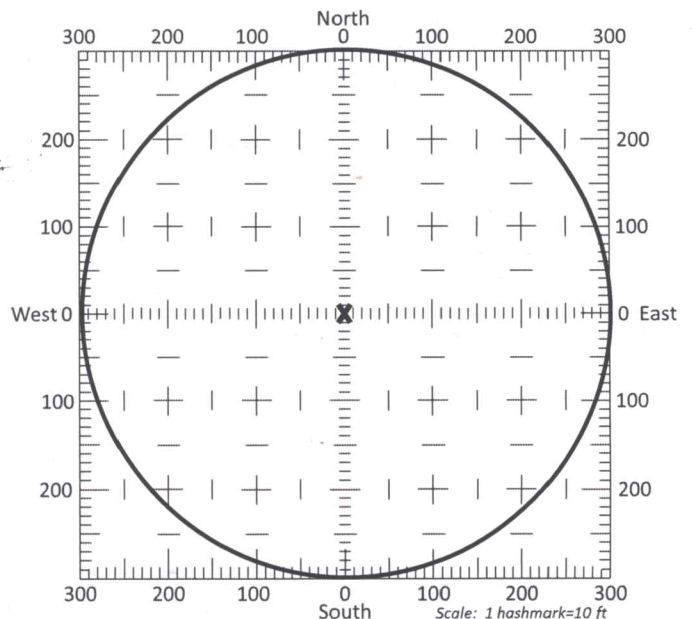
9. The change(s) (was)(will be) completed by? As soon as approved

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 GMD3/JLN

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 a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
 - (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?
 Yes No (If yes, all owners must sign this application.)
 - (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

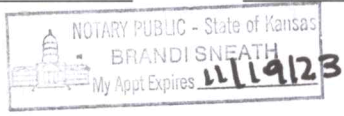
If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

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

Dated at GMD's office, Kansas, this 12th day of January, 2023.

| | |
|--|----------------|
| <u>Leroy Wendel by Daniel O. Wendel P.O.A.</u> | |
| (Owner) | (Spouse) |
| <u>Leroy Wendel by Daniel O. Wendel P.O.A.</u> | |
| (Please Print) | (Please Print) |
| _____ | _____ |
| (Owner) | (Spouse) |
| _____ | _____ |
| (Please Print) | (Please Print) |
| _____ | _____ |
| (Owner) | (Spouse) |
| _____ | _____ |
| (Please Print) | (Please Print) |

State of Kansas }
 County of Finney } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 12th day of January, 2023.

Brandi Sneath
 Notary Public

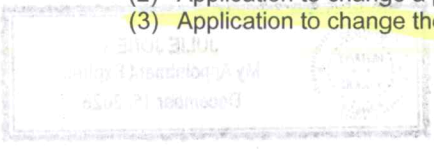
My Commission Expires 11/19/23.

ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

FEE SCHEDULE

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200



SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, *et seq.* and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et seq.*, and rules and regulations promulgated thereunder. With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 24,273.

- 1. A change application was received on January 12, 2002 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
- 2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable Not Applicable
- 3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a foot radius of the authorized point(s) of diversion. Applicable Not Applicable
- 4. The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. Applicable Not Applicable
- 5. The point(s) of diversion authorized herein shall not actually be located more than feet from the previously authorized point(s) of diversion. Applicable Not Applicable
- 6. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. Applicable Not Applicable
- 7. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2023**, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year. Applicable Not Applicable
- 8. **Installation of the works for diversion of water shall be completed on or before December 31, 20**, or within any authorized extension of time. By March 1, 20 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. Applicable Not Applicable
- 9. **The completed well log shall be submitted with the required notice.** Applicable Not Applicable
- 10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable
- 11. Additional Conditions are attached. Yes No
- 12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

Administrative Appeal and Effective Date of Order

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

For Use by Register of Deeds

FOR OFFICE USE ONLY
**APPLICATION APPROVED AND
SUMMARY ORDER ISSUED**

By: Michael A. Meyer
Duly Authorized Designee of the Chief Engineer

(Print Name): MICHAEL A. MEYER
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: January 13, 2023

State of Kansas)

) SS

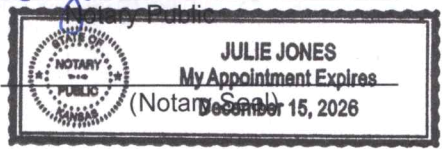
County of Ginney)

Acknowledged before me on January 13, 2023

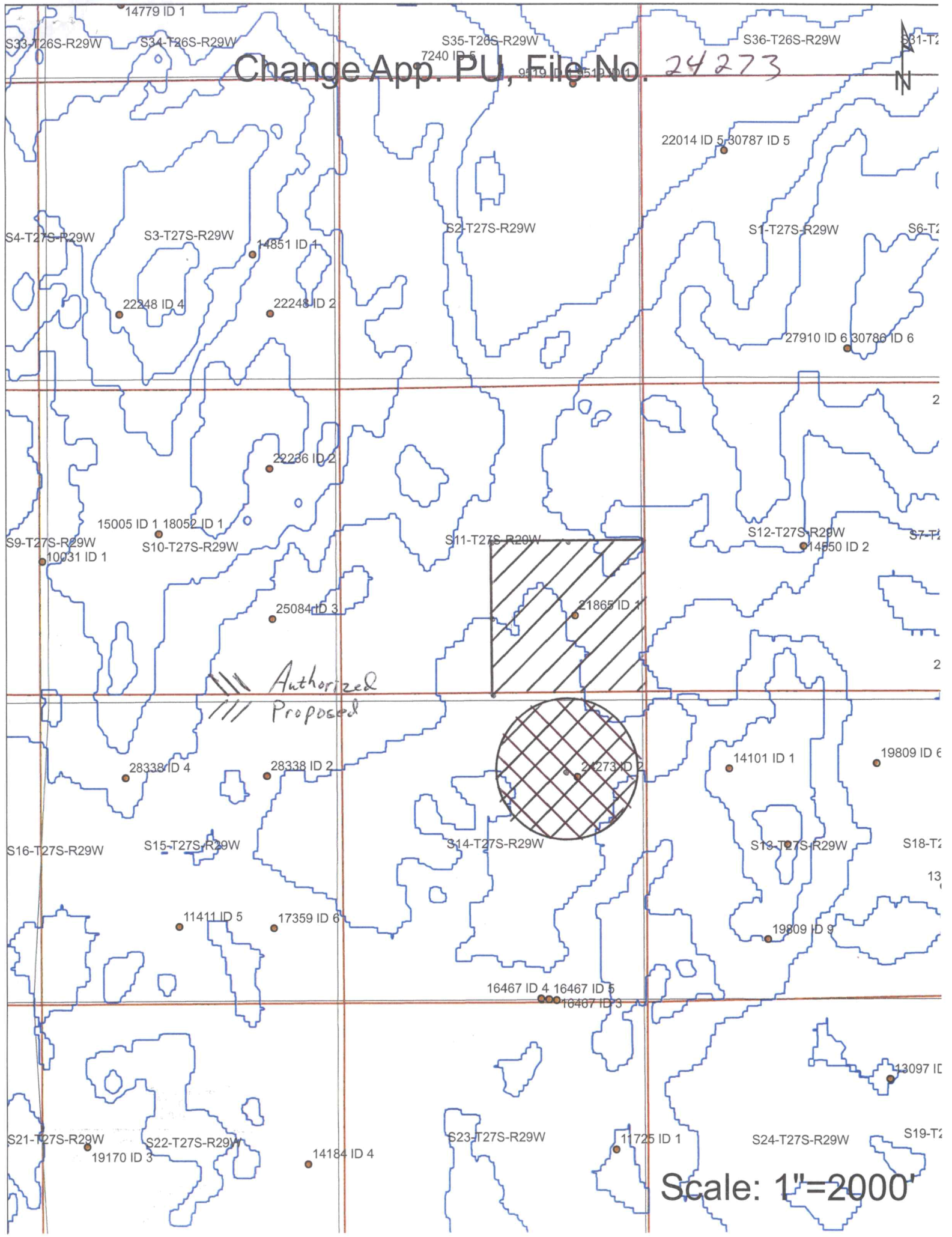
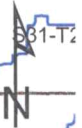
by Michael A. Meyer

Signature: Julie Jones
Notary Public

My commission expires: December 15, 2026



Change App. PU, File No. 24273



/// Authorized
/// Proposed

Scale: 1"=2000'

DURABLE POWER OF ATTORNEY FOR BUSINESS AND FINANCIAL PURPOSES

I, DENNIS L. WENDEL a/k/a as LEROY WENDEL, a resident of Gray County, Kansas, do hereby appoint my son DANIEL JOSEPH WENDEL, as my attorney in fact to act and sign for me in my name and stead, to exercise, do, or perform any act, right, power, duty or obligation whatsoever that I now have or may acquire, relating to any person, matter, transaction or property, real or personal, tangible or intangible, now owned or hereafter acquired by me. I grant to my agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as I might or could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that the agent shall lawfully do or cause to be done by virtue of this durable power of attorney. Without in any manner limiting the foregoing general plenary grant of authority, my attorney in fact is specifically authorized to exercise the following enumerated powers:

1. To transact all of my business at any bank or other financial institution in which I may have deposited or may hereafter deposit or have deposited for me, any funds; to have access to my safety deposit box; to draw checks on my account in said bank or other financial institution, to endorse all checks, drafts and bills of exchange, securities, bonds, mutual funds, or other documents which may require my endorsement for collection or deposit; to waive demand, notice, and notice of protest thereon; and to open, remove from, and add to items in a bank safety deposit box on my behalf.

2. To forgive, request, demand, sue for, recover, collect, receive, hold all such sums of money, debts, dues, commercial paper, checks, drafts, accounts, deposits, legacies, bequests, devises, notes, interests, stock certificates, bonds, dividends, certificates of deposit, annuities, pension, profit sharing, retirement, Social Security insurance and other contractual benefits and proceeds, all documents of title, all property, real or personal, intangible and tangible property and property rights, and demands whatsoever, liquidated or unliquidated, now or hereafter owned by, or due, owing, payable or belonging to me or in which I have or may hereafter acquire an interest; to have, use, and take all lawful means and equitable and legal remedies and proceedings in my name for the collection and recovery thereof, and to adjust, sell, compromise, and agree for the same, and to execute and deliver for me, on my behalf, and in my name, all endorsements, releases, receipts, or other sufficient discharges for the same.

3. To prepare, execute, and file both federal and state income tax returns, or amendments thereto, and any claims for refund, or to make any report required by governmental agencies, to contract with and make claims to any governmental organization or private company with regard to any insurance matter, medical, or retirement related matters. This authority applies to KPERS, Social Security, Medicaid, Medicare, Farm Service Agency, Veteran's Administration, Social Security Administration, and Internal Revenue power of attorney and any other governmental agency. IRS form 2848 can be signed by my agent on my behalf.

4. To lease, sell, assign, mortgage, and convey personal property, standing in my name or which I may now or hereafter own, at market value; and to invest and reinvest the proceeds from such sales or deposit such proceeds in my account in any bank or financial institution in which I may have or may deposit funds. To execute, sign, and complete any documents necessary under the powers granted herein, including execution of contracts, leases, assignments, title transfers, and security agreements.

5. To lease, grant easements, and mortgage real estate, standing in my name or which I may now or hereafter own, at market value; and to invest and reinvest the proceeds from such mortgages or deposit such proceeds in my account in any bank or financial institution in which I may have or may deposit funds. To execute, sign, and complete any documents necessary under the powers granted herein, including execution of mortgages, leases, assignments, easements, rights of way, and security agreements.

6. My current homestead is located at 408 East 3rd Avenue, Ingalls, Kansas 67853. The legal description is

My agent has specific authority to sell, assign, mortgage or convey this homestead and to execute a contract, deed, mortgage, lease or assignment for this property. My agent has authority to designate a different homestead, domicile or residence on my behalf.

7. To maintain, repair, improve, invest, manage, insure, rent, lease, encumber, and in any manner deal with any real or personal property, tangible or intangible, or any interest therein, that I may now own or hereafter acquire, in my name and for my benefit, upon such terms and conditions as my agent shall deem proper. To take whatever action is necessary in order to collect any government benefit due me or any member of my family.

8. To operate my farm property with hired labor, tenants, or a farm management service; to supervise the farming operations; to lease or rent my land for cash or on shares; to sell, purchase, exchange or otherwise acquire or dispose of all farm products, or other proceeds from the land; and to pay on my behalf or charge to me fertilizer, chemicals, other related expenses.

9. To lease my property for oil, gas, or other minerals upon such conditions as may be customary in the community, regardless of whether the terms of such lease may extend beyond the termination of this power of attorney.

10. To execute contracts, notes chattel mortgages, and other agreements relating to agriculture with the Commodity Credit Corporation, the Secretary of Agriculture, the Farm Service Agency, or any other officer or agency of the federal or state government, or of any corporation organized under them; to enter into acreage reduction agreements; to make soil conservation commitments; and in general, to do all acts necessary to cooperate with any governmental agricultural program and to participate in and receive all payments and other benefits and proceeds under any such programs.

11. To apply for a certificate of title upon, and endorse and transfer title thereto, for any automobile, truck, pickup, van, boat, mobile home, motorcycle or other motor vehicle, and to represent in such transfer or assignment that the title to said motor vehicle is free and clear of all liens and encumbrances except those specifically set forth in such transfer assignment.

12. To waive the attorney/client privilege between myself and my attorney at law so that my attorney at law can freely communicate with the agent named herein.

13. To take any and all actions with life, health, property and casualty insurance as though he were, in fact, the owner thereof. This authorization includes but is not limited to, the power to apply for insurance, to select proper amounts and types of coverage, cancel, change insurers, and settle any and all claims with or without resort to litigation. As to any policy of life insurance, the attorney in fact shall have the power and right to surrender, cancel, or assign the policy, to pledge the policy for a loan, or to obtain a loan from the insurer on the cash surrender value of the policy so long as such action is reasonably done in the best interest of my person or estate. The receipt of the beneficiary or attorney in fact shall discharge the insurance company from any responsibility for proper expenditure.

This power of attorney shall become effective immediately and shall not be affected by my subsequent disability or incapacity.

I HEREBY GIVE AND GRANT unto my said attorney herein named full power and authority to do and perform all and every lawful act and thing whatsoever that may be necessary to be done, as fully and to all intents and purposes as I might or could do if personally present, and hereby ratify and confirm all that my attorney shall lawfully do, or cause to be done hereunder.

I FURTHER DIRECT that this power of attorney shall not be affected by my subsequent disability or incapacity, or in the event of later uncertainty as to whether I am dead or alive, and that it shall be construed and interpreted as granting a durable power of attorney under the Kansas Power of Attorney Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 19 day of MAY, 2005.

Dennis L. Wendel
Dennis L. Wendel a/k/a as
Leroy Wendel

STATE OF KANSAS)
)
) ss:
COUNTY OF Gray)

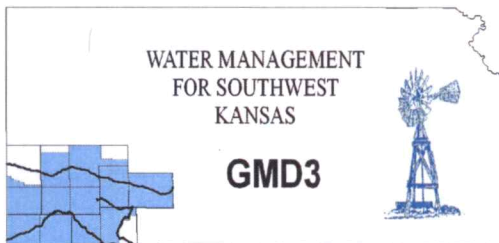
BE IT REMEMBERED, That on this 19 day of May, 2005, before me, the undersigned, a notary public in and for the county and state aforesaid, came Dennis L. Wendel a/k/a as Leroy Wendel who is personally known to me to be the same person who executed the within instrument of writing, and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal, the day and year last above written.

Patricia Ridenour
Notary Public

My Term Expires:
7-19-08





**Southwest Kansas
Groundwater Management District No. 3**
2009 E. Spruce Street
Garden City, Kansas 67846
(620) 275-7147 phone
www.gmd3.org

January 12, 2023

Michael A. Meyer
Division of Water Resources
4532 W Jones Ave., Suite B
Garden City, Kansas 67846

RE: Application for Change in Place of Use
Water Right, File No. 21418 & 28809

Dear Mike:

We have reviewed the application for the above referenced water right. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use will make a complete overlap in currently authorized place of use, in accordance with K.A.R. 5-5-11(b). No new acres are proposed that are not currently authorized by one of the water rights. It is therefore recommended that the application be approved at this time.

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

Sincerely,

A handwritten signature in blue ink, which appears to read "Jason Norquest", is written over the typed name and title.

Jason L. Norquest
Assistant Manager