

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

| | | | | |
|--|---|---|------------------------------|---|
| 1. File Number: 3691 | 2. Status Change Date: 9-9-2024 | 3. Change Num: C2 | 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: 8/30/2024 |
| 8a. Landowner Person ID <u>35380</u> New to system <input type="checkbox"/> Add Seq# _____ JAY W & JOLENE D LUNDEEN 2165 26 RD FOWLER, KS 67844 | | 8c. Landowner Person ID <u>27398</u> New to system <input type="checkbox"/> Add Seq# _____ EVA L LUNDEEN TRUST RT 1 BOX 63 FOWLER, KS 67844 | | |
| 8b. Landowner(s) Person ID <u>10815</u> New to system <input type="checkbox"/> Add Seq# _____ DOUGLAS LUNDEEN TRUST 2165 26 RD FOWLER, KS 67844 | | 8d. Correspondent, Applicant Person ID <u>62642</u> New to system <input type="checkbox"/> Add Seq# _____ BRYCE MCCLAREN 23404 JJ RD FOWLER, KS 67844 | | |
| 9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/2024</u> <input type="checkbox"/> N & P Date to Comply: _____ <input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____ | | | | |
| 10. Use Made of Water From: _____ To: _____ | | | | |
| Date Prepared: 9/09/2024 By: MAM Date Entered: _____ By: _____ | | | | |

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

September 9, 2024

BRYCE MCCLAREN
23404 JJ RD
FOWLER, KS 67844

RE: Field Office Application for Change
Vested Right, File No. ME 007
Water Right, File Nos. 3691 & 18927

Dear Sir:

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

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of 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 orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

Should you have any questions, please feel free 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:
JAY W & JOLENE D LUNDEEN
GMD3

CERTIFICATE OF SERVICE

On this 9th day of September 2024, I hereby certify that the foregoing Approvals of Application for Change in Place of Use, Vested Right, File No. ME 007, Water Right, File Nos. 3,691 and 18,927 dated 9th day of September 2024 was mailed postage prepaid, first class, US mail to the following:

BRYCE MCCLAREN
23404 JJ RD
FOWLER, KS 67844

Pc:

JAY W & JOLENE D LUNDEEN
2165 26 RD
FOWLER, KS 67844

GMD3

A handwritten signature in blue ink that reads "Julie Jones". The signature is written over a horizontal line.

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
 3:01 pm
 AUG 30 2024

File No. 3691

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: Bryce McClaren

23404 JJ RD, Fowler, KS 67844

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: Same as Above

Same as Above

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: JAY W & JOLENE D LUNDEEN

ADDRESS: 2165 26 Road, Fowler, KS 67844

(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 | | | | | |
| 7 | 30 | 26W | | | | | | | | | | | | | | | | | 25 | 30 | 30 | 25 | 110 |
| 18 | 30 | 26W | | | | | 20 | L-1 38.31 | L-2 38.45 | 35 | 30 | L-3 38.59 | L-4 38.73 | 30 | | | | | | | | | 269.08 |

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: JAY W & JOLENE D LUNDEEN

ADDRESS: 2165 26 Road, Fowler, KS 67844

(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 | | | | | |
| 7 | 30 | 26W | | | | | | | | | | | | | | | | | 40 | 40 | 40 | 40 | 160 |
| 18 | 30 | 26W | | | | | 25 | L-1 23 | L-2 32 | 33 | 29.5 | L-3 29.5 | L-4 28.5 | 28.5 | | | | | | | | | 229 |

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 8-30-24 Check # PY2408794 94

5. **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. 1 _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the _____ 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 _____

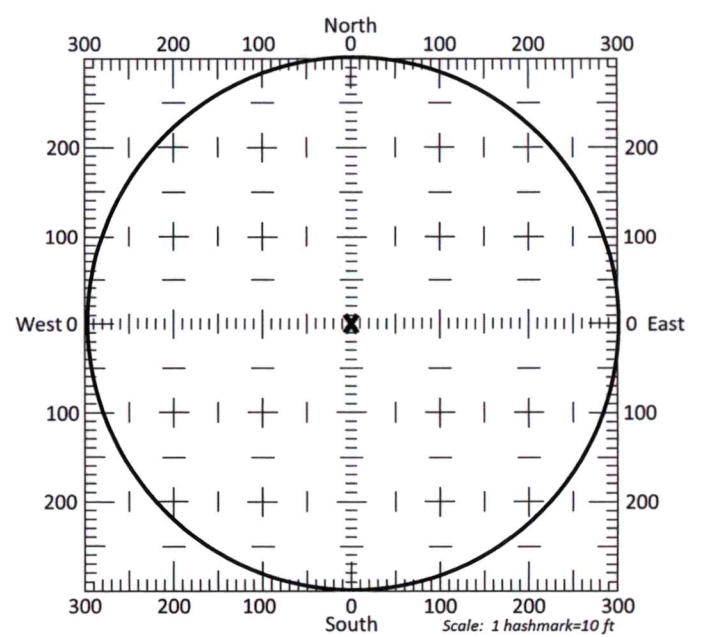
6. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ W,
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ 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) _____

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 JG/GCFO _____



- 13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines
- 13b. If the proposed point of diversion will be relocated within 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.)**

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 3691
MAKE ADDITIONAL COPIES AS NECESSARY

3. *Continued:* The presently authorized place of use is:

Owner of Land ---- NAME: EVA L LUNDEEN TRUST

ADDRESS: 15680 STONINGTON DR WAMEGO KS 66547

| 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 | |
| 7 | 30 | 26W | | | | | | | | | 30 | L-3 30.06 | L-4 30.18 | 30 | | | | | 120.24 |
| | | | | | | | | | | | | | | | | | | | |

Owner of Land ---- NAME: DOUGLAS LUNDEEN TRUST

ADDRESS: 15680 STONINGTON DR WAMEGO KS 66547

| 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 | |
| 19 | 30 | 26W | | | | | 30.25 | L-1 30.25 | L-2 30.25 | | | | | | | | | | 121 |
| | | | | | | | | | | | | | | | | | | | |

Owner of Land ---- NAME: _____

ADDRESS: _____

| 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. *Continued:* 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: EVA L LUNDEEN TRUST

ADDRESS: 15680 STONINGTON DR WAMEGO KS 66547

| 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 | |
| 7 | 30 | 26W | | | | | | | | | 32 | L-3 26 | L-4 30 | 27 | | | | | 115 |
| | | | | | | | | | | | | | | | | | | | |

Owner of Land ---- NAME: DOUGLAS LUNDEEN TRUST

ADDRESS: 15680 STONINGTON DR WAMEGO KS 66547

| 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 | |
| 19 | 30 | 26W | | | | | 30 | L-1 30 | L-2 30 | 30 | | | | | | | | | 120 |
| | | | | | | | | | | | | | | | | | | | |

Owner of Land ---- NAME: _____

ADDRESS: _____

| 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. 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 _____, Kansas, this _____ day of _____, 20_____.

(Owner)

Jolene Lundeen
(Spouse)

(Please Print)

Jolene Lundeen
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

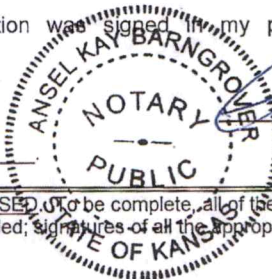
(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Field } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 3 day of September, 2024.



[Signature]
Notary Public

My Commission Expires 4-7-2025

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

RECEIVED

SEP 4 2024

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).

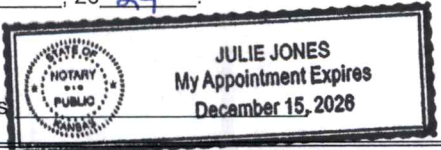
I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application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

Dated at Darden City, Kansas, this 30th day of August, 2024.

| | |
|---|--|
| <u>Jay Lunde</u> (Owner) | |
| <u>Jay Lunde</u> (Please Print) | |
| <u>Eva L. Lunde by Jay Lunde POA</u> (Owner) | |
| <u>Eva L. Lunde by Jay Lunde POA</u> (Please Print) | |
| <u>Douglas Lunde by Jay Lunde POA</u> (Owner) | |
| <u>Douglas Lunde by Jay Lunde POA</u> (Please Print) | |

State of Kansas }
 County of Winney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 30th day of August, 2024.



My Commission Expires _____

 Notary Public

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

FEE SCHEDULE

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

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

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, *et seq.* and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 3691

1. A change application was received on August 30, 2024 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, 2024**, 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, 2024**, or within any authorized extension of time. By March 1, 2024 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. 5-3-5e. 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: September 9, 2024

State of Kansas)

) SS

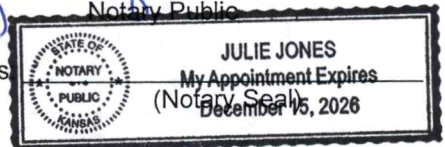
County of Finney)

Acknowledged before me on September 9, 2024

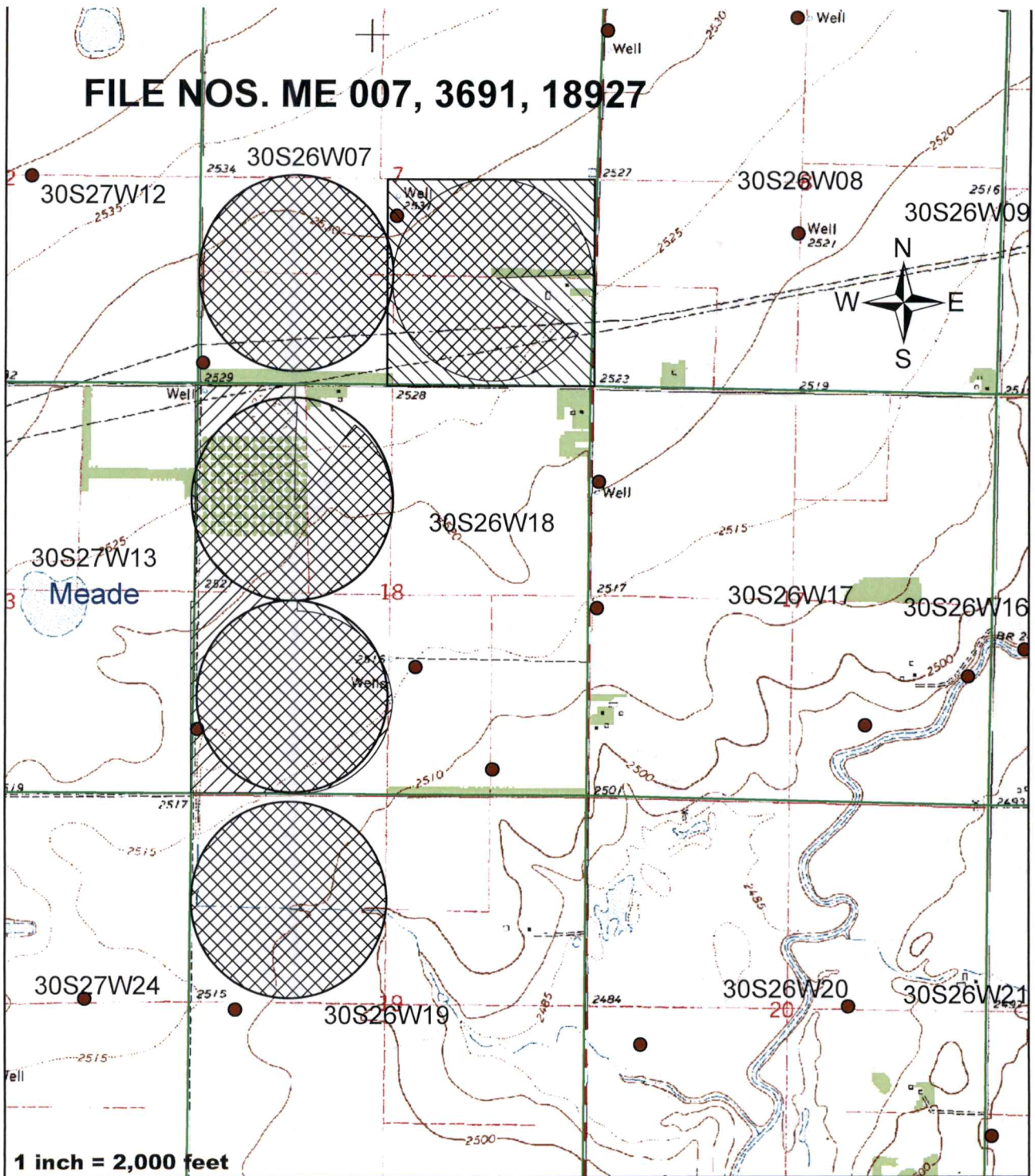
by Michael A. Meyer

Signature: Julie Jones
Notary Public

My commission expires



FILE NOS. ME 007, 3691, 18927



APPLICATION TO CHANGE THE PLACE OF USE

/// AUTHORIZED PLACE OF USE

//// PROPOSED PLACE OF USE

GENERAL DURABLE POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS, That I, Eva L. Lundeen, the undersigned principal, of Meade County, Kansas, hereby make, constitute, and appoint Douglas Lundeen with address of Fowler, Meade County, Kansas, (hereinafter individually and collectively referred to as "my attorney-in-fact"), my true and lawful attorney-in-fact for me and in my name, place and stead, with full power to do and perform all and every act that I may legally do through an attorney-in-fact, and every proper power necessary to carry out the purposes for which this power is granted, with full power of substitution and revocation, hereby ratifying and affirming any and all acts which my attorney-in-fact shall do or cause to be done by virtue of the power herein conferred.

If Douglas Lundeen resigns, is deceased, or becomes incapacitated (as determined by certification by a licensed physician), then I hereby appoint Steven A. Lundeen and Jay W. Lundeen in the capacity of attorney-in-facts with all the same powers granted to the originally appointed attorney-in-fact.

The powers granted herein extend individually to Steven A. Lundeen and Jay W. Lundeen, and nothing herein shall be construed to require joint execution by both of them as to any of the acts to be undertaken by them individually in their capacities as my attorney.

By way of illustration and not in limitation, this power shall include the power granted hereunder to do the following acts:

1. To receive, collect and receipt for, any money or other things now or hereafter due or owing to me and settle, adjust or compromise any and all claims, accounts, or debts owing to me, and to take any proceedings under the Bankruptcy Act or similar statutes in connection with such.
2. To receive, endorse, and deposit any and all checks, notes, drafts, money orders, and instruments of a similar nature belonging to me either now or in the future, and to make deposits in and withdrawals from any checking, savings, and other account which I may have at any time.
3. To act as my proxy in connection with any shares of corporate stocks, other securities, including any limited partnership interests belonging to me.
4. To handle my investments for me and to execute in my behalf requests for payment of United States Bonds owned by me at this time or acquired by me in the future; to invest funds for me in building loan associations, banks or other institutions having United States deposit insurance, and to request payment of said investment and to do each and every act necessary.
5. To carry on any business transactions of any kind in which I am now or hereafter may become interested, including any capacity I may have as sole proprietor, partner, shareholder, officer or director.
6. To take charge of, manage, operate and control any farm ground which I may now own or hereafter acquire and to make, execute and deliver agricultural leases on any real property owned by me or which I may hereafter acquire but no lease shall be executed by my agent for more than a one-year term; to collect the rents and profits from the real property owned by me and to market the same and to deposit the monies in my bank account.
7. To authorize the repair or improvements of any building or other improvements owned by me and to pay the cost and expense of such repair and/or improvements out of my bank account.
8. To negotiate for, make, sell, execute, acknowledge and deliver oil, gas and other mineral mining leases on all or any part or parts of the real property owned by me or in which I have an interest. Such leases to be made on such terms, for such price and in such manner as my said agent deems proper; provided, however, that the primary term of any such lease shall not be longer than three years and the royalty payable thereunder shall not be less than a one-eighth (1/8). Said agent is also hereby authorized to execute and deliver division orders, transfer orders, pooling agreements and any other instrument or instruments deemed proper by my said agent in connection with the

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Division of Water Resources

exploration for, development and production of oil, gas or other minerals. My agent is authorized to make such covenants, either with or without warranty, as well as such other covenants as said agent deems proper in any such lease, division order, pooling agreement or other instrument executed by him in connection with his handling of my real property and in connection with the leasing, exploration for, development and production of oil, gas or other minerals. My agent is also authorized to grant and execute such easements on my real property or my interest in real property to such persons, for such purposes and on such terms as my agent deems proper.

9. To do and perform each and every act necessary and advisable to be done under the agricultural programs sponsored by the United States Department of Agriculture and administered through the FSA County Committees, including price support programs, feed grain programs, soil bank programs, agriculture conservation programs, marketing quota and acreage allotment programs, farm storage facility loan programs, and all other programs administered through such FSA County Committees that my attorney-in-fact may deem proper; said attorney-in-fact is expressly authorized to sell and deliver any commodity, the signing of any application, the borrowing of money, the receiving of payments, the execution of loans and pledge agreements and all other applicable documents; said attorney-in-fact is expressly authorized to do any and every act which the undersigned might or could do if personally present and is expressly authorized to cooperate in any future programs under the jurisdiction of the United States Department of Agriculture, whether sponsored by the FSA County Committee or other committees formed for such purposes.

10. To obtain such insurance whether hazard insurance, crop insurance, medical or health insurance or otherwise, all for such purposes and in such amounts as my agent deems proper; provided, however, that my agent shall not be liable for any loss regardless of whether the same was or might have been covered by insurance or by adequate insurance.

11. To sell and convert to cash any and all property, both real and personal, which I may now own or hereafter acquire and/or in which I may now have or may hereafter acquire an interest. To execute, acknowledge and deliver bills of sale and deeds of conveyance, with or without covenants of warranty, and to execute, acknowledge and deliver such other instruments and to perform such other acts as my agent may deem proper in order to vest marketable title to the property so sold in the purchaser or purchasers thereof. All such sales shall be made in such manner, for such price and on such terms as my agent deems proper.

12. To obtain loans for such purposes, in such amounts and on such terms as my agent deems proper. To execute and deliver promissory notes and to execute, acknowledge and deliver real estate mortgages, financing statements, security instruments and other instruments as my agent deems proper, which mortgages and other instruments shall cover such of my property, both real and personal, which I may own or hereafter acquire and/or in which I may now have or may hereafter acquire an interest, all as my said agent shall deem proper.

13. To transfer any interests in property I may own to a revocable or living trust created by me, which trust benefits me during my life.

14. To make, sign and file any and all tax returns, including intangible and federal and state income tax returns for any year; exercise any right or election in any tax matter and settle any tax dispute; to pay any tax, interest or penalty; to receive any refunds that might hereafter be due to me; to represent me before the Internal Revenue Service as my attorney-in-fact.

15. To pay all real and personal property taxes which may accrue on property owned by me.

16. To enter my safe deposit boxes and to open new safe deposit boxes; and to add to and to remove any of the contents of any such safe deposit boxes; and to close out any of the boxes.

17. To purchase, pledge, liquidate, borrow against or make claim against any insurance company of any type.

18. To pay any and all expenses incurred in my behalf.

19. To make contributions to and withdrawals from, rollovers, voluntary contributions, or any elections with respect to any retirement plans, including an individual retirement account.

20. To make any statutory election or disclaimer.

21. To institute, prosecute, defend, compromise, or otherwise dispose of and to appear for me in any proceedings at law or in equity or otherwise before any tribunal for the enforcement or for the defense of any claim, either alone or in conjunction with other persons, relating to me or to any property of mine or any other persons, and to obtain, discharge and substitute counsel and authorize appearance of such counsel to be entered for me in any such action or proceeding; and to compromise or arbitrate any claim in which I may be in any manner interested and for that purpose to enter into agreements or compromise or arbitrate, either through counsel or otherwise, to carry on such compromise or arbitration and perform or enforce any award entered in arbitration.

22. To open or maintain accounts with stockbrokers (on cash or on margin); to buy, sell, endorse, transfer, hypothecate and borrow against any shares of stock, bonds, or other securities.

23. To consent, refuse consent, or withdraw consent to any care, treatment, service or procedure to be performed on me (or any of my minor children), and to maintain, diagnose or treat a physical or mental condition of mine (or any of my minor children), and to make decisions about organ donation, autopsy, and disposition of my body (or any of my minor children); (provided, however, this power shall be subject to any written declaration that I have made during my life regarding termination of life sustaining procedures);

24. To make all necessary arrangements at any hospital, psychiatric hospital or psychiatric treatment facility, hospice, nursing home, or similar institution; to employ or discharge health care personnel to include physicians, psychiatrists, psychologists, dentists, nurses, therapists, or any other person who is licensed, certified, or otherwise authorized or permitted by the laws of this state to administer health care as the agent shall deem necessary for my physical, mental, and emotional well being;

25. To request, receive, and review any information, verbal or written, regarding my personal affairs or physical or mental health including medical and hospital records and to execute any releases of other documents that may be required in order to obtain such information.

26. To resign official positions such as public office or fiduciary position.

27. To make gifts of any of my assets to any charity in satisfaction of any pledges or commitments previously made by me or to any individual (which charity qualifies for a deduction for federal income tax purposes), provided that any gifts to individuals shall only be to individuals to whom I previously made gifts, or to an individual who is a beneficiary under my most recently executed will (as determined by my attorney-in-fact) or to such individual who is otherwise a natural object of my bounty; and to consent to any transfers, whether made by me or by my attorney-in-fact, being treated as "split gifts" as provided under Section 2513 of the Internal Revenue Code of 1986 or as hereafter amended.

28. To join with my spouse or my spouse's estate in filing income or gift tax returns for any years for which I have not filed such returns and to consent to any gifts made by my spouse as being made one-half by me for gift tax purposes.

29. To do any and all other acts and things that may be either necessary or proper in the handling and managing of my person or affairs.

Any questions which may arise concerning the power or authority of my attorney-in-fact to act for me shall be interpreted and construed in favor of such person having such power and authority.

This power may be accepted and relied upon by anyone to whom it is presented until such person either receives written notice of revocation by me or by a guardian or similar fiduciary of my

estate, and has actual knowledge of my death. However, the powers granted herein for the purposes of organ donation, autopsy, and disposition of my body (or any of my minor children) shall not end upon my death. This instrument may be executed in counterparts.

The rights, powers, and authority of such attorney-in-fact herein granted shall commence and be in full force and effect on the date of execution of this instrument, and such rights, powers, and authority shall remain in full force and effect thereafter until death, except as provided in the immediately preceding paragraph. This power of attorney shall not be affected by my subsequent disability or incapacity.

This instrument is to be construed and interpreted as a general durable power of attorney. This instrument is executed pursuant to the Uniform Durable Power of Attorney Act of the State of Kansas, Sec. 58-610, et seq. K.S.A. and is delivered in the State of Kansas, and the laws of the State of Kansas shall govern all questions as to validity of this power and constructions of its provisions.

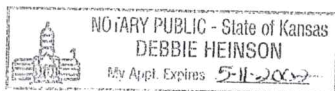
Dated this 14th day of January, 2002.



EVA L. LUNDEEN

STATE OF KANSAS, COUNTY OF MEADE, ss:

On this 14th day of January, 2002, before me, a Notary Public, personally appeared to me Eva L. Lundeen, who is known to me to be the person above named, and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at the day and year last above written.




Notary Public

(My Term Expires: _____)

GENERAL DURABLE POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS, That I, Douglas Lundeen, the undersigned principal, of Meade County, Kansas, hereby make, constitute, and appoint Eva L. Lundeen with address of Fowler, Meade County, Kansas, (hereinafter individually and collectively referred to as "my attorney-in-fact"), my true and lawful attorney-in-fact for me and in my name, place and stead, with full power to do and perform all and every act that I may legally do through an attorney-in-fact, and every proper power necessary to carry out the purposes for which this power is granted, with full power of substitution and revocation, hereby ratifying and affirming any and all acts which my attorney-in-fact shall do or cause to be done by virtue of the power herein conferred.

If Eva L. Lundeen resigns, is deceased, or becomes incapacitated (as determined by certification by a licensed physician), then I hereby appoint Steven A. Lundeen and Jay W. Lundeen in the capacity of attorney-in-facts with all the same powers granted to the originally appointed attorney-in-fact.

The powers granted herein extend individually to Steven A. Lundeen and Jay W. Lundeen, and nothing herein shall be construed to require joint execution by both of them as to any of the acts to be undertaken by them individually in their capacities as my attorney.

By way of illustration and not in limitation, this power shall include the power granted hereunder to do the following acts:

1. To receive, collect and receipt for, any money or other things now or hereafter due or owing to me and settle, adjust or compromise any and all claims, accounts, or debts owing to me, and to take any proceedings under the Bankruptcy Act or similar statutes in connection with such.

2. To receive, endorse, and deposit any and all checks, notes, drafts, money orders, and instruments of a similar nature belonging to me either now or in the future, and to make deposits in and withdrawals from any checking, savings, and other account which I may have at any time.

3. To act as my proxy in connection with any shares of corporate stocks, other securities, including any limited partnership interests belonging to me.

4. To handle my investments for me and to execute in my behalf requests for payment of United States Bonds owned by me at this time or acquired by me in the future; to invest funds for me in building loan associations, banks or other institutions having United States deposit insurance, and to request payment of said investment and to do each and every act necessary.

5. To carry on any business transactions of any kind in which I am now or hereafter may become interested, including any capacity I may have as sole proprietor, partner, shareholder, officer or director.

6. To take charge of, manage, operate and control any farm ground which I may now own or hereafter acquire and to make, execute and deliver agricultural leases on any real property owned by me or which I may hereafter acquire but no lease shall be executed by my agent for more than a one-year term; to collect the rents and profits from the real property owned by me and to market the same and to deposit the monies in my bank account.

7. To authorize the repair or improvements of any building or other improvements owned by me and to pay the cost and expense of such repair and/or improvements out of my bank account.

8. To negotiate for, make, sell, execute, acknowledge and deliver oil, gas and other mineral mining leases on all or any part or parts of the real property owned by me or in which I have an interest. Such leases to be made on such terms, for such price and in such manner as my said agent deems proper; provided, however, that the primary term of any such lease shall not be longer than three years and the royalty payable thereunder shall not be less than a one-eighth (1/8). Said agent is also hereby authorized to execute and deliver division orders, transfer orders, pooling agreements and any other instrument or instruments deemed proper by my said agent in connection with the

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Garden City Field Office
Division of Water Resources

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10. To obtain such insurance whether hazard insurance, crop insurance, medical or health insurance or otherwise, all for such purposes and in such amounts as my agent deems proper; provided, however, that my agent shall not be liable for any loss regardless of whether the same was or might have been covered by insurance or by adequate insurance.

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13. To transfer any interests in property I may own to a revocable or living trust created by me, which trust benefits me during my life.

14. To make, sign and file any and all tax returns, including intangible and federal and state income tax returns for any year; exercise any right or election in any tax matter and settle any tax dispute; to pay any tax, interest or penalty; to receive any refunds that might hereafter be due to me; to represent me before the Internal Revenue Service as my attorney-in-fact.

15. To pay all real and personal property taxes which may accrue on property owned by me.

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18. To pay any and all expenses incurred in my behalf.

19. To make contributions to and withdrawals from, rollovers, voluntary contributions, or any elections with respect to any retirement plans, including an individual retirement account.

20. To make any statutory election or disclaimer.

21. To institute, prosecute, defend, compromise, or otherwise dispose of and to appear for me in any proceedings at law or in equity or otherwise before any tribunal for the enforcement or for the defense of any claim, either alone or in conjunction with other persons, relating to me or to any property of mine or any other persons, and to obtain, discharge and substitute counsel and authorize appearance of such counsel to be entered for me in any such action or proceeding; and to compromise or arbitrate any claim in which I may be in any manner interested and for that purpose to enter into agreements or compromise or arbitrate, either through counsel or otherwise, to carry on such compromise or arbitration and perform or enforce any award entered in arbitration.

22. To open or maintain accounts with stockbrokers (on cash or on margin); to buy, sell, endorse, transfer, hypothecate and borrow against any shares of stock, bonds, or other securities.

23. To consent, refuse consent, or withdraw consent to any care, treatment, service or procedure to be performed on me (or any of my minor children), and to maintain, diagnose or treat a physical or mental condition of mine (or any of my minor children), and to make decisions about organ donation, autopsy, and disposition of my body (or any of my minor children); (provided, however, this power shall be subject to any written declaration that I have made during my life regarding termination of life sustaining procedures);

24. To make all necessary arrangements at any hospital, psychiatric hospital or psychiatric treatment facility, hospice, nursing home, or similar institution; to employ or discharge health care personnel to include physicians, psychiatrists, psychologists, dentists, nurses, therapists, or any other person who is licensed, certified, or otherwise authorized or permitted by the laws of this state to administer health care as the agent shall deem necessary for my physical, mental, and emotional well being;

25. To request, receive, and review any information, verbal or written, regarding my personal affairs or physical or mental health including medical and hospital records and to execute any releases of other documents that may be required in order to obtain such information.

26. To resign official positions such as public office or fiduciary position.

27. To make gifts of any of my assets to any charity in satisfaction of any pledges or commitments previously made by me or to any individual (which charity qualifies for a deduction for federal income tax purposes), provided that any gifts to individuals shall only be to individuals to whom I previously made gifts, or to an individual who is a beneficiary under my most recently executed will (as determined by my attorney-in-fact) or to such individual who is otherwise a natural object of my bounty; and to consent to any transfers, whether made by me or by my attorney-in-fact, being treated as "split gifts" as provided under Section 2513 of the Internal Revenue Code of 1986 or as hereafter amended.

28. To join with my spouse or my spouse's estate in filing income or gift tax returns for any years for which I have not filed such returns and to consent to any gifts made by my spouse as being made one-half by me for gift tax purposes.

29. To do any and all other acts and things that may be either necessary or proper in the handling and managing of my person or affairs.

Any questions which may arise concerning the power or authority of my attorney-in-fact to act for me shall be interpreted and construed in favor of such person having such power and authority.

This power may be accepted and relied upon by anyone to whom it is presented until such person either receives written notice of revocation by me or by a guardian or similar fiduciary of my

estate, and has actual knowledge of my death. However, the powers granted herein for the purposes of organ donation, autopsy, and disposition of my body (or any of my minor children) shall not end upon my death. This instrument may be executed in counterparts.

The rights, powers, and authority of such attorney-in-fact herein granted shall commence and be in full force and effect on the date of execution of this instrument, and such rights, powers, and authority shall remain in full force and effect thereafter until death, except as provided in the immediately preceding paragraph. This power of attorney shall not be affected by my subsequent disability or incapacity.

This instrument is to be construed and interpreted as a general durable power of attorney. This instrument is executed pursuant to the Uniform Durable Power of Attorney Act of the State of Kansas, Sec. 58-610, et seq. K.S.A. and is delivered in the State of Kansas, and the laws of the State of Kansas shall govern all questions as to validity of this power and constructions of its provisions.

Dated this 14th day of January, 2002.

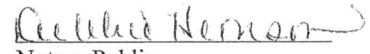

DOUGLAS LUNDEEN

STATE OF KANSAS, COUNTY OF MEADE, ss:

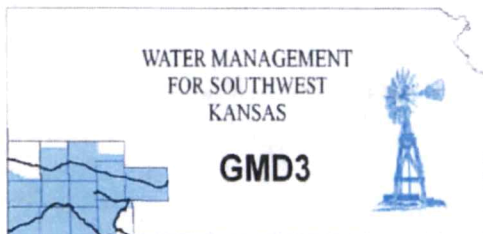
On this 14th day of January, 2002, before me, a Notary Public, personally appeared to me Douglas Lundeen, who is known to me to be the person above named, and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at the day and year last above written.




Notary Public

(My Term Expires: _____)



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

September 6, 2024

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

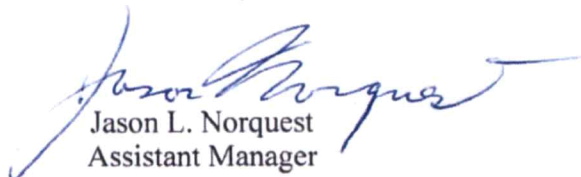
RE: Applications for Change in Place of Use
Vested Right, File No. ME 7
Water Right, File Nos. 3691 & 18927

Dear Mike:

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

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

Sincerely,


Jason L. Norquest
Assistant Manager

GMD3 Change Review

File No(s): ME7, 3691, 18927.

DWR office: .

App filed to change: PU .

Is Landowner(s) correct in WRIS: Bryce McClaren .

 If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? .

 If NO, is documentation included?

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

Point of diversion ID No(s) being changed.

| | ft. North | ft. West |
|-------------------|-----------|----------|
| Authorized PD | | |
| Proposed PD | | |
| <hr/> | | |
| Difference | 0 | 0 |
| $a^2 + b^2 = c^2$ | 0 | 0 |
| | | 0 |

GPS for proposed PD: Lat: Long: .

Is proposed PD stacking on existing WRs? No Change .

Is Proposed PU overlapping existing WRs? Rearranging acres and making complete overlap .

Neighboring certified well(s) notified: .

Name .

Address .

Zip .

Email: Phone: .

Base Acres: 614 Combined .

Perfected Acres: .

Irr. Return-Flow %

Meade County

ME7: 320AF

3691:

18927:

Current place of use

120.24acres SW 7-30-26

110acre SE

131.76acres NW 18-30-26

137.32acres SW

121acres NW 19-30-26

Total = 620.32acres

Proposed place of use

115acres SW 7-30-26

160acres SE

GMD3 Change Review

113acres NW 18-30-26

116acres SW

120acres NW 19-30-26

Total = 624acres

Is a waiver needed: No, proposed acres are remaining within the allowed base acres +10.

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



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Garden City Field Office
Division of Water Resources

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

September 4, 2024

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO. 3
2009 E SPRUCE ST
GARDEN CITY KS 67846

Re: Request for Recommendation
Vested Right, File No. ME 007, Water Right, File Nos. 3691, 18927

Dear Mr. Norquest:

This is to advise you that Bryce McClaren has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use.

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

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

Sincerely,

Michael A. Meyer
Water Commissioner

MAM
Enclosures