

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**



WATER METER REQUIRED

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.

File No. 20,506

RECEIVED
 10:33am
 OCT 17 2016

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

Stafford Field Office
 Division of Water Resources

2. Name and address of Applicant: Kyle Maechtlen

1008 W 9th ST, Pratt, KS 67124

Phone Number: (620)770-9243

Email address: kylemaechtlen@yahoo.com

Name and address of Water Use Correspondent: Kyle Maechtlen

1008 W 9th ST, Pratt, KS 67124

Phone Number: (620)770-9243

Email address: kylemaechtlen@yahoo.com

3. The presently authorized place of use is:

Owner of Land ---- NAME: Kyle Maechtlen

ADDRESS: 1008 W 9th ST, Pratt, KS 67124

(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 | |
| 28 | 26S | 14W | | | | | | | | | | | | | 40 | 40 | 40 | 40 | 160 |
| | | | | | | | | | | | | | | | | | | | |

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: NO CHANGE

ADDRESS: _____

(If there is more than one landowner, attach supplemental sheets as necessary.)

| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES |
|------|------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

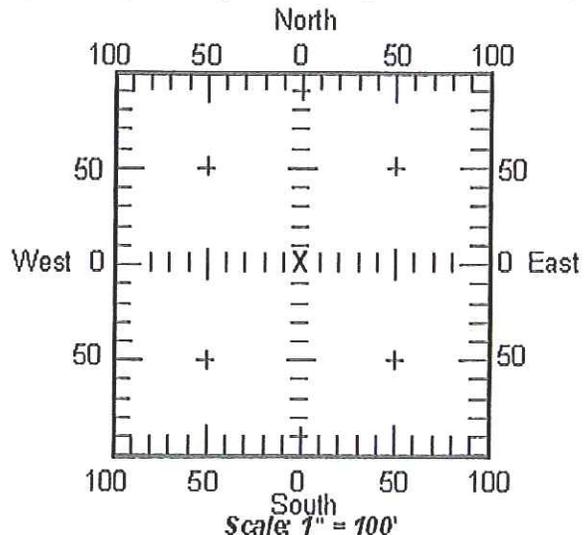
For Office Use Only: Code _____ Fee \$ _____ TR # _____ Receipt Date _____ Check # 1575

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ NC Quarter of the _____ SE Quarter
 of Section _____ 28 _____, Township _____ 26 _____ South, Range _____ 14 _____ (W),
 in Pratt _____ County, Kansas, _____ 1,340 _____ feet North _____ 1,300 _____ feet West of Southeast corner of section.
 Authorized Rate _____ 710 gpm _____ Authorized Quantity _____ 195 acre-feet _____ Depth of well _____ 237 _____ (feet)
 (DWR use only: Computer ID No. _____ 2 _____ GPS _____ 1,299 _____ feet North _____ 1,330 _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ SE Quarter of the _____ SE Quarter of the _____ SE Quarter
 of Section _____ 28 _____, Township _____ 26 _____ South, Range _____ 14 _____ (W),
 in Pratt _____ County, Kansas, _____ 311 _____ feet North _____ 401 _____ feet West of Southeast corner of section.
 Proposed Rate _____ no change _____ Proposed Quantity _____ no change _____ Proposed well depth (feet) _____ 192 _____
 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 _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

7. Why do you need a new point of diversion? old well is not
producing the desired rate of diversion

the diagram below in relation to the existing point of diversion.
 (PLEASE NOTE: The "X" in center of diagram below
 represents presently authorized point of diversion.)



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

9. When do you propose to complete the new point of
 diversion?
as soon as possible

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
cap for now, plug if the new well works & produces adequately
 (b) When will this be done? when new well is complete and tested

11. Groundwater Management District recommendation
 attached? Yes No

12. Assisted by CRC-Stafford Field Office

13b. If the proposed point of diversion will be relocated more than
 100 feet but within 2,640 feet from 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.

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14. If the proposed groundwater point of diversion is 300 or fewer feet from 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.)

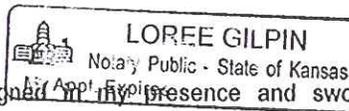
If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized 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 regard 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 Pratt, Kansas, this 10th day of OCTOBER, 2016.

| | |
|---|----------------------|
| <u>[Signature]</u> (Owner) | _____ (Spouse) |
| <u>Kyle Marchtlen</u> (Please Print) | _____ (Please Print) |
| _____ (Owner) | _____ (Spouse) |
| _____ (Please Print) | _____ (Please Print) |
| _____ (Owner) | _____ (Spouse) |
| _____ (Please Print) | _____ (Please Print) |

State of Kansas }
County of Pratt } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 10 day of Oct, 2016.

[Signature]
Notary Public

My Commission Expires 7-24-2020.

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

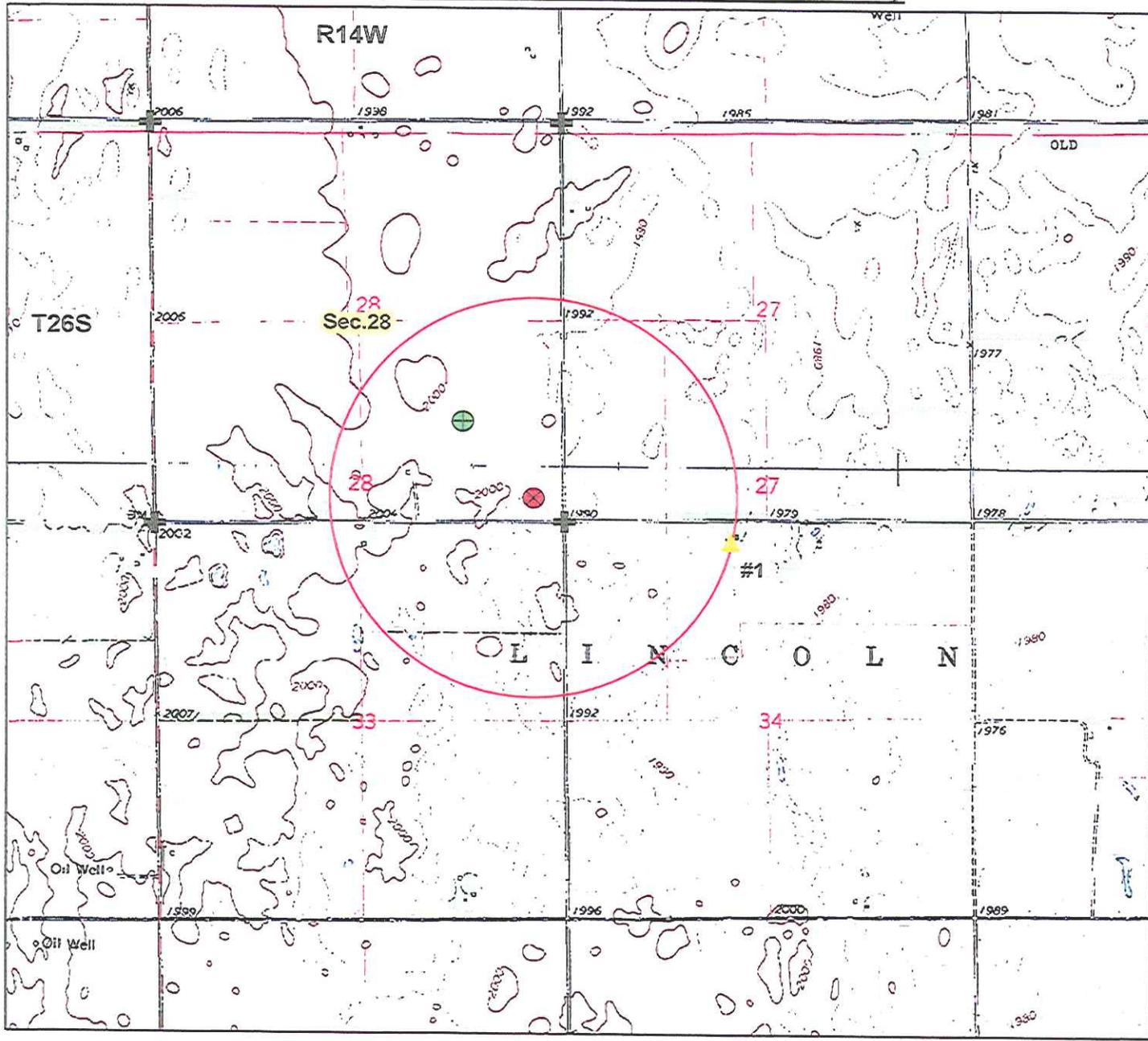
Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: Kansas Department of Agriculture

- (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

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Change in Point of Diversion Application Map, File No. 20,506
Section 28-T26S-R14W in Pratt County



- currently authorized p/d
1,340'N & 1,300'W
- proposed p/d
311'N & 401'W
- nearby wells w/in 1/2 mile
- 1/2 mile circle around proposed p/d
- section corners

#1- Eric T. McManaman
 PO Box 1993
 Scotts Bluff, NE 69363

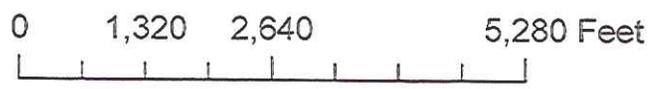
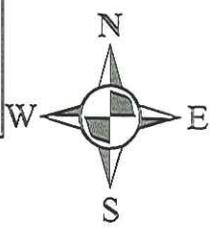
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 Division of Water Resources

By signing below I agree that all wells, including domestic, within 1/2 mile of the proposed point of diversion, within 1/2 mile of the proposed point of diversion have been shown on the map.

 _____
 signature 10/10/16
date



map created on 8/11/16 scale 1:24,000

TRUSTEE'S DEED

THIS INDENTURE made this 27 day of May, 2016, by and between:

John K. Horsley, as Successor Trustee of the Dwight H. Thompson, Jr. Revocable Trust Dated March 8, 1999,

"GRANTOR"

and

Kyle S. Maechtlen,

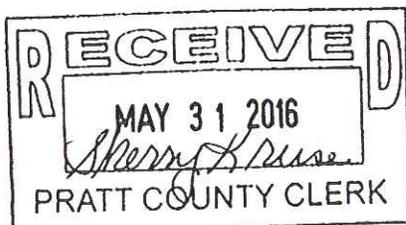
"GRANTEE"

WITNESSETH, THAT:

WHEREAS, GRANTOR is the duly acting Successor Trustee of the Dwight H. Thompson, Jr. Revocable Trust Dated March 8, 1999; and

WHEREAS, Grantor is vested with all of the powers, privileges, and immunities conferred upon trustees by the Uniform Trustees Powers Act as adopted by the State of Kansas, including the power to sell, or otherwise dispose of any property at any time held by the Trustee, on such terms and conditions and for such price as the Trustee may deem best, and to execute and deliver all deeds or other instruments necessary to accomplish the sale of said property sold by the Trustee; and

WHEREAS, Grantor, acting in pursuance of the power and authority conferred upon Grantor by the Trust and, deeming it proper and advisable and for the best interests of said Trust Estate, has effected a sale of the real estate hereinafter described and conveyed.



Register of Deeds Pratt County, Kansas
Sherry L. Wenrich
Book: 452 Page: 99
Receipt #: 24666 Total Fees: \$37.00
Pages Recorded: 3
Date Recorded: 5/27/2016 3:05:25 PM

NOW, THEREFORE, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, receipt of which is hereby acknowledged, Grantor hereof, pursuant to power and authority vested in Grantor under the terms of the Trust Indenture to sell assets of the Trust, does hereby sell, transfer, and convey unto:

Kyle S. Maechtlen

all of the Trust's right, title and interest in and to the following-described real property, to-wit:

See Exhibit "A"

subject to easements, covenants, conditions, restrictions of record, TO HAVE AND TO HOLD unto the Grantee forever.

It is recognized, understood, and agreed by Grantee that Grantor is acting only as Trustee as above described, and that he shall have no liability in his individual capacity hereunder.

Grantor warrants that he is the duly acting and qualified Trustee as aforesaid and that he has full power and authority to execute, acknowledge, and deliver this Trustee's Deed; that the Trust remains in full force and effect at this time and that the same has not been amended or revoked.

IN WITNESS WHEREOF, this Trustee's Deed is executed on this the 27 day of May 2016.

DWIGHT H. THOMPSON, JR. REVOCABLE TRUST DATED MARCH 8, 1999

By John K. Horsley
John K. Horsley, Trustee

STATE OF KANSAS)
) SS
COUNTY OF PRATT)

The foregoing instrument was acknowledged before me this 27 day of May, 2016, by John K. Horsely as Trustee of the Dwight H. Thompson, Jr. Revocable Trust Dated March 8, 1999.

Perla Chavez
Notary Public

My appointment expires:

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PERLA CHAVEZ
Notary Public - State of Kansas
My Appt. Expires 7-5-17

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Division of Water Resources

EXHIBIT "A"

(Legal Description of Property, excluding Grantor's mineral estate, which is conveyed by separate instrument)

The surface interest only in and to:

The Southeast Quarter (SE/4) of Section Twenty-eight (28)
Township Twenty-six (26) South, Range Fourteen (14) West
of the 6th P.M., Pratt County, Kansas

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Stafford Field Office
Division of Water Resources

Book: 452 Page: 101

Conant, Cameron

From: Conant, Cameron
Sent: Monday, October 03, 2016 10:08 AM
To: Kyle Maechtlen (kylemaechtlen@yahoo.com)
Subject: File 20,506 pd change application
Attachments: 20506 change app.pdf; 20506 Notice of Completion.pdf

Kyle, I've attached the change application and maps. Review them carefully and if everything looks good, print them in color and sign page 3 of the application in the presence of a notary public. Also, sign both maps if we have properly shown all nearby well owners.

You can send the application back to the Stafford Field Office with a check for \$200 made payable to the Kansas Department of Agriculture.

Also, when you send the application back, please include a copy of the title/deed showing you as the current owner of the authorized place of use.

Once we receive the application, it will probably take a little more than a month before it could be approved because it has to be sent to nearby owners and GMD#5 for comments and review.

Once the well is drilled and the diversion works have been completed, please finish filling out the attached Notice of Completion of Diversion Works and send that to our office.

If you have any questions, feel free to call the office at (620) 234-5311. Thanks,

Cameron Conant, Assistant Water Commissioner
Kansas Department of Agriculture
Division of Water Resources
Stafford Field Office
(620)234-5311
www.agriculture.ks.gov

please be advised that my email address has changed to cameron.conant@ks.gov

Conant, Cameron

From: Steve Maechtlen <gpsteve@haviglandtelco.com>
Sent: Wednesday, August 10, 2016 9:47 AM
To: Conant, Cameron
Subject: RE: 20506 pd change

Follow Up Flag: Follow up
Flag Status: Completed

East 929 feet

South 988 feet The land is in Kyle Maechtlen name we will bring deed tomorrow.

*— did not bring title/deed
to meeting. Cover email again
stated we need it.
CRC 10/3/16*

From: Conant, Cameron [<mailto:Cameron.Conant@ks.gov>]
Sent: Monday, August 08, 2016 4:59 PM
To: Kyle Maechtlen (kylemaechtlen@yahoo.com); gpsteve@haviglandtelco.com
Subject: FW: 20506 pd change

I was beginning to fill out this change application but I can't determine exactly where the new well will be proposed. Please tell me how many feet east and how many feet south the new well will be. I'm not familiar with the GPS coordinates on the well log, so I couldn't use those. You may need to talk to the driller to get the exact distance proposed to move.

I also need a copy of the title/deed showing you as the new owner. Based on the apparent distance moved, this is an application that will need to be signed by the owner and spouse.

It's up to you, but if you get me the footages of the new well, it might be just as easy for me to email the application to you and then you'd mail it back or hand deliver it to the office once it was signed.

Feel free to call me, if you want to discuss it a little more in depth. (620) 234-5311.

Cameron

From: Conant, Cameron
Sent: Monday, August 08, 2016 8:58 AM
To: 'Kyle Maechtlen'; Steve Maechtlen
Subject: RE: 20506 pd change

Thanks, got the log. I'm still planning on you coming to the office on August 11 at 3:00pm. I'll let you know if anything changes.

Cameron

From: Kyle Maechtlen [<mailto:kylemaechtlen@yahoo.com>]
Sent: Monday, August 08, 2016 8:54 AM
To: Steve Maechtlen; Conant, Cameron
Subject: Re: 20506 pd change

On Monday, August 8, 2016 8:19 AM, Steve Maechtlen <gpsteve@haviglandtelco.com> wrote:

From: Conant, Cameron [<mailto:Cameron.Conant@ks.gov>]
Sent: Wednesday, July 27, 2016 8:11 AM
To: gpsteve@haviglandtelco.com
Subject: 20506 pd change

Hey Steve, I have us down for an appointment at 9:00am on Monday August 8th to get this point of diversion change completed.

As we discussed on the phone, this will be a little more than a month wait before the change could be approved.

Please send me the test log from the driller and also let me know how far you are planning to move the well (I would like footages distances south and east of the new well).

Thanks and I'll be in touch with you if I have any additional questions.

Cameron Conant, Assistant Water Commissioner
Kansas Department of Agriculture
Division of Water Resources
Stafford Field Office
(620)234-5311
www.agriculture.ks.gov

please be advised that my email address has changed to cameron.conant@ks.gov

926

CLARKE WELL & EQUIPMENT, INC.

FORMATION TEST HOLE / 2" OB WELL

Water Right, File No. 20506

FORMATION TEST ONLY

PLUGGED

JOB NUMBER 13891

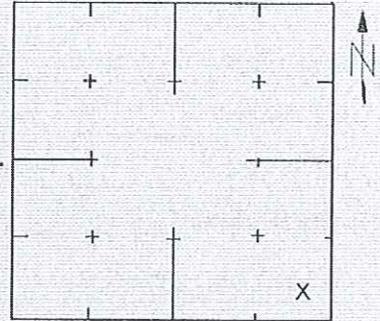
WELL OWNER Great Plains Cattle WELL NO. TH-1-16

WELL USE Formation Test APPR. NO. _____

LEGAL SE 1/4 SE 1/4 SE 1/4 Sect 28 Twp 26 S Rng 14 W Pratt KS
COUNTY STATE

FSL, FEL

GPS - 513249 E 4177761 N Zone 14 NAD 27



Formation Log SIZE HOLE 5 " DIA. Electric Log SWL _____ FGL SECTION 28

| FROM | TO | FEET | FORMATION / COMMENTS | SAMPLES TAKEN |
|------|-----|------|---|---------------|
| 0 | 9 | | Sand | |
| 9 | 21 | | Clay, brown, sandy | |
| 21 | 25 | | Sand, fine | |
| 25 | 31 | | Clay, gray | |
| 31 | 35 | | Sand, fine | |
| 35 | 47 | | Clay, brown | |
| 47 | 54 | | Clay, gray, white, some caliche | |
| 54 | 60 | | Sand, gravel, fine to medium | |
| 60 | 65 | | Sand, gravel, fine to coarse, gray clay streaks | |
| 65 | 87 | | Sand, gravel, fine to medium, some coarse | |
| 87 | 95 | | Clay, gray, brown, caliche | |
| 95 | 107 | | Clay, brown, sandy | |
| 107 | 110 | | Clay, brown, white, caliche | |
| 110 | 120 | | Clay, brown, gray, caliche | |
| 120 | 125 | | Clay, brown, white, caliche | |
| 125 | 131 | | Clay, brown, white, caliche, fine gravel mix | |
| 131 | 144 | | Sand, gravel, fine to medium | |
| 144 | 151 | | Clay, yellow, brown, gray | |
| 151 | 156 | | Sand, gravel, fine to medium, yellow, white clay, caliche | |
| 156 | 157 | | Clay, gray, white, yellow | |
| 157 | 192 | | Sand, gravel, fine to medium, some yellow clay streaks | |
| 192 | 196 | | Clay, yellow, gray | |
| 196 | 200 | | Shale, red | |
| | | | | |
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| | | | | |
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RECEIVED

AUG 08 2016

Stafford Field Office
Division of Water Resources

(Well Construction on Other Side)

DRILLED BY Lew Raybern DATE 6-1-16