

CHECK SHEET Short Change

(To be completed and attached to each application)

File No. 205065

Field Office No. 2

GMD No. 5

1. **Plugging agreement obtained for GMD?** Yes No Non Applicable
2. **Is Landowner correct as currently shown in WRIS?** Yes No **Address Change?** NO
If applicable, list Place of Use Overlap File Nos. ---
3. **Is Water Use Correspondent correct as currently shown in WRIS?** Yes No **Address Change?** NO
Name of Former WUC --- Name of New WUC ---
4. a. **Point of diversion computer ID No(s).** 2 **for point(s) being changed.**
- b. **Show feet distances from the** SE **corner of the section for the new point(s) of diversion:**

Action	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	'W	County	Qualifiers
ENT		NO	28	26S	14W	311	401	Pratt	SE SE SE
DEL	79584	NO	28	26S	14W	1340	1300	Pratt	NC SE

c. If multiple points of diversion exist and rates and quantities are individually assigned, show:

Old PDIV ID	Authorized Rate	Additional Rate	Authorized Quantity	Additional Quantity
---	_____ gpm/cfs	_____ gpm/cfs	_____ af/mgy	_____ af/mgy
_____	_____ gpm/cfs	_____ gpm/cfs	_____ af/mgy	_____ af/mgy
_____	_____ gpm/cfs	_____ gpm/cfs	_____ af/mgy	_____ af/mgy

d. **Name of Drainage Basin** S F NINNESCAH RIVER **Is this correctly shown in WRIS?** Yes No

e. **Formation Name & No.** undiff. Kansan / Nebraskan **Special Use Area** ---

5. **Distances from the previous p/d:** 988 ' S 929 ' E

6. WATER RIGHT ACTION TRAIL COMMENTS

10/17/2016 Change Application Received (date accepted for priority)
11 / 17 / 16 Change Approved
 Notice and Proof by 12 / 31 / 17
 Completion Requirement Removed (Change No. C _____)

7. METER ACTION TRAIL COMMENTS

11 / 17 / 16 DWR Meter Required by 12/31/2017
 Anti-Reverse Meter Required by _____ / _____ / _____
 Meter Seal Required by _____ / _____ / _____

8. **Base Acres** --- **Year** --- **Minimum Reasonable Quantity** ---

Date Created **11/17/16** by **TJS**
 Date Entered by

CHECK SHEET ATTACHMENT

9. Changes to the place of use will be:

File Number 20506

Action	Owner Person ID	Place Use ID #	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		
NO CHG	65275	27395	28	26S	14W	Acres Authorized																	
						New Acres																	
						Acres Authorized																	
						New Acres																	
						Acres Authorized																	
						New Acres																	
						Acres Authorized																	
						New Acres																	

Names and Address:

1. Person ID # <u>65275</u> KYLE S MAECHTLEN 1008 W NINTH ST PRATT KS 67124	2. Person ID # _____ _____ _____ _____	3. Person ID # _____ _____ _____ _____
--	---	---

GENERAL INSTRUCTIONS

1. Give to Applicant:
 - a. Original application/approval
 - b. Original receipt (one for each application)
 - c. Information packet containing:
 - Notice and Proof form
 - Water Meter Specifications
 - Acceptable Meter list
 - Water level measurement tube specifications
 - Check Valve specifications
 - Pink Sheet - K.S.A. 82a-728 letter
 - Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED)
2. Send to headquarters:
 - a. Good, **scannable** copy of application and/or approval and this check sheet
 - b. Original check and copy of receipt
 - c. Test hole log
 - d. GMD recommendation, if any
 - e. Map or aerial photograph, if any
3. Send to KDHE: Letter (KDHE.LT) advising of location of abandoned well.
4. Date stamp received and approved.
5. Complete ownership and WUC change information.

ADDITIONAL PHOTOCOPIES

HQ _____

GMD#5 _____

DRILLER'S COPY _____

CONDITIONS

1. Insert notice and proof date.
2. Type or print applicant's/owner's name on line.
3. Complete notary statement.

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

Stafford Field Office
 Division of Water Resources

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is: Groundwater Surface water

2. Name and address of Applicant: 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	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	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	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼					

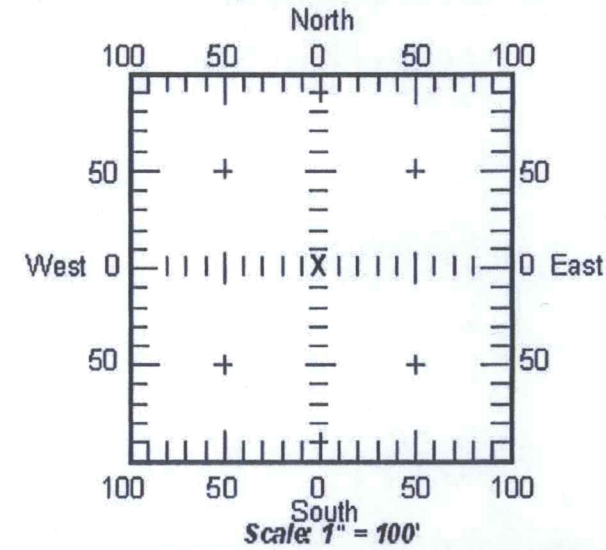
For Office Use Only: Code _____ Fee \$ _____ TR # _____ Receipt Date _____ Check # 1575

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 none

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 TJS-SFFO

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.

OCT 17 2016

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 Marchtken</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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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. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law*, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, K.A.R. 5-1-1 et. seq. With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 20,506.

- 1. A change application was received on 10/17/16 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 300 foot radius of the authorized point(s) of diversion. Applicable Not Applicable
- 4. The point(s) of diversion authorized herein shall not actually be located more than 1657 feet from the previously authorized point(s) of diversion. Applicable Not Applicable
- 5. 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
- 6. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before **December 31, 2017**, 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
- 7. Installation of the works for diversion of water shall be completed on or before **December 31, 2017**, or within any authorized extension of time. By March 1, 2018 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
- 8. The completed well log shall be submitted with the required notice. Applicable Not Applicable
- 9. 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
- 10. Additional Conditions are attached. Yes No
- 11. 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

You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Topeka, Kansas 66502, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day after the date shown on the Certificate of Service.

For Use by Register of Deeds

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

By: Cameron R. Conant
Duly Authorized Designee of the Chief Engineer
(Print Name): Cameron R. Conant
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: 11/17/16

State of Kansas)

County of Stafford) SS

Acknowledged before me on 11/17/16
by Cameron Conant

Signature: Jessica Engelbrecht
Notary Public
JESSICA ENGELBRECHT
My Appointment Expires
August 11, 2017

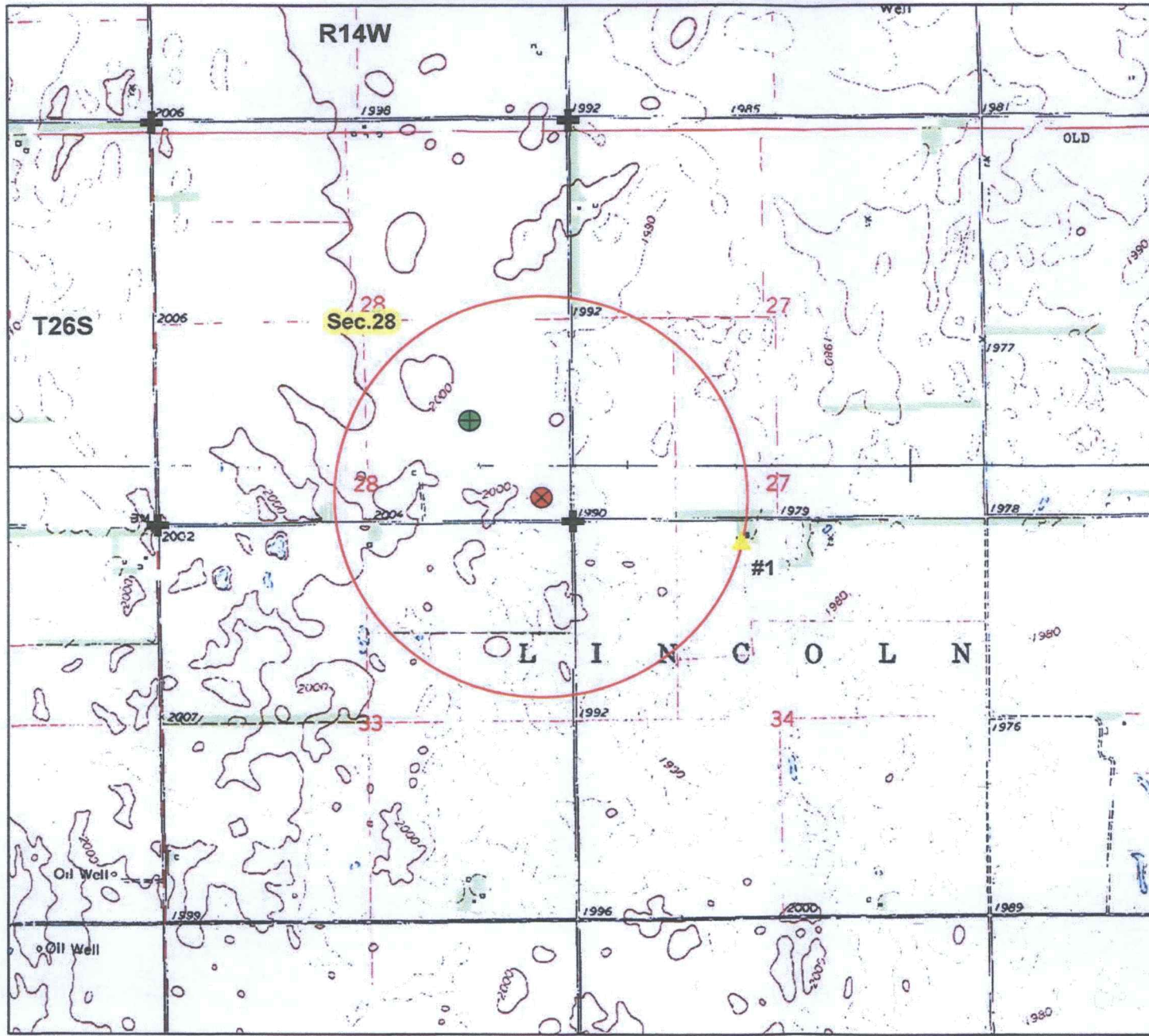
My commission expires _____
(Notary Seal)

RECEIVED

OCT 17 2016

Stafford Field Office

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

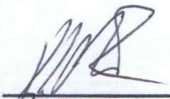
#1- Eric T. McManaman
 PO Box 1993
 Scotts Bluff, NE 69363

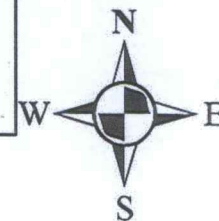
RECEIVED

OCT 17 2016

Stafford Field Office

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

 _____
 signature 10/10/16
 date



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

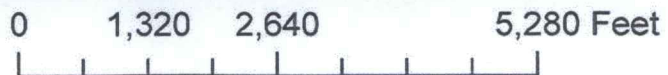
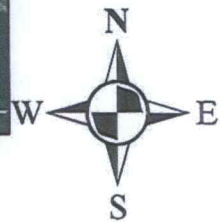
#1- Eric T. McManaman
 PO Box 1993
 Scotts Bluff, NE 69363

RECEIVED
 OCT 17 2016

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



 signature 10/10/16
 date



926

CLARKE WELL & EQUIPMENT, INC.

FORMATION TEST HOLE / 2" OB WELL

FORMATION TEST ONLY

JOB NUMBER 13891

Water Right, File No. 20506

PLUGGED

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

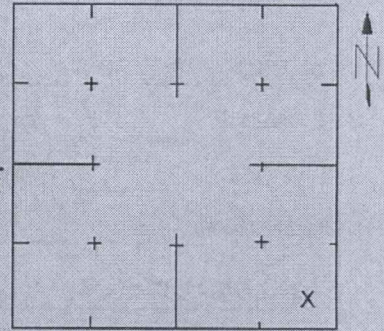
WELL USE Formation Test APPR. NO. _____

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

_____FSL, _____FEL

COUNTY STATE

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	

RECEIVED

AUG 08 2016

Stafford Field Office
Division of Water Resources



Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521
Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

November 17, 2016

Kyle Maechtlen
1008 W 9th St
Pratt KS 67124

Re: Water Right, File No(s). 20506

Dear Water Right Owner:

Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number(s).

Your attention is directed to the enclosures and to the terms, conditions and limitations specified in this approval for change. An acceptable water flow meter must be installed on your well before any water is applied as authorized under this change approval. A copy of the approved list of Certified Water Flowmeters as well as the regulations regarding the installation of flowmeters, measurement tubes and check valves can be found at <http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters>. If you do not have access to the internet, please contact this office and we will send you a paper copy of the referenced information.

Since this order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

This order requires that a notice and completion of works form be submitted once the diversion works are completed, including a properly installed flowmeter. This form is available at the referenced website.

Any abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

Should you have any questions, please feel free to contact this office. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Lanterman".

Jeff Lanterman
Water Commissioner

Enclosures

pc: Water Rights Section
Ground Water Management District 5

CERTIFICATE OF SERVICE

On this **18 November 2016**, I hereby certify that the attached Change in Point of Diversion, File No. 20506 dated November 18, 2016 was mailed to the following:

Kyle Maechtlen
1008 W 9th St
Pratt KS 67124

pc: Water Rights Section
GMD #5



Staff

Saryerwinnie, Tyler

From: Saryerwinnie, Tyler
Sent: Thursday, November 03, 2016 9:24 AM
To: 'oferil@gmd5.org'
Cc: Conant, Cameron
Subject: GMD Recommendation Request - File No. 20506
Attachments: 20506.cover letter.pdf; 20506.Change App.pdf

Orrin,

I have attached a cover letter and a copy of one (1) change application for GMD recommendation. One notification letter was sent to an adjacent owner with no response received. Please provide the GMD recommendation by no later than November 28th, 2016.

Please let me know if you have any questions.

Thank you and I look forward to working with you,

Tyler

Tyler Saryerwinnie, Environmental Scientist
Kansas Department of Agriculture
Division of Water Resources
Stafford Field Office
Phone: (620)234-5311



Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

November 3, 2016

Orrin Feril
Big Bend – GMD No. 5
125 S Main St
Stafford, KS 67578

RE: Point of Diversion Change Application, File No(s). 20,506

Dear Mr. Feril,

We are enclosing a copy of the application, as referenced above, for your review and recommendation. At this time the application appears to be in proper form. Notification letters were sent to all nearby owners shown on the application map. These owners were given a 15 day comment period, no responses of any kind were received.

This office will delay any further action on this file for a period of 15 business days from the date of this letter to allow you time to submit your recommendation concerning the application. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

Sincerely,

A handwritten signature in blue ink, appearing to read "T. Saryerwinnie".

Tyler Saryerwinnie
Environmental Scientist
Stafford Field Office
tyler.saryerwinnie@ks.gov

Enclosure

Saryerwinnie, Tyler

From: Orrin Feril <oferil@gmd5.org>
Sent: Wednesday, November 16, 2016 2:05 PM
To: Saryerwinnie, Tyler
Subject: Applications for Change, Water Right File Nos. 11303, 20506, 27517, 36789
Attachments: 20506 2016-11-16 Rec.pdf; 27517 36789 2016-11-16 Rec.pdf; 11303 2016-11-16 Rec.pdf

I'm attaching the recommendations requested by your office. Please let me know if you have any questions.

Thank you for your consideration in this matter,

Orrin

--

Orrin Feril
Manager
Big Bend GMD#5
Email: oferil@gmd5.org
Phone: (620) 234-5352
Mobile: (620) 388-0172
Fax: (620) 234-5718
www.gmd5.org

Darrell Wood - Edwards (Pres.)
Fred Grunder - Pratt (V Pres.)
John Janssen - Kiowa (Treas.)
Curtis Tobias - Rice (Sec.)
Justin Gatz - Reno
Kent Lamb - Stafford
Phil Martin - Barton
Bob Standish - Pawnee
Tom Taylor - At-Large



Orrin Feril, Manager
125 South Main Street
Stafford, Kansas 67578
ph: (620) 234-5352
fx: (620) 234-5718
gmd5@gmd5.org
www.gmd5.org

November 16, 2016

Tyler Saryerwinnie
Division of Water Resources
Kansas Department of Agriculture
300 S. Main Street
Stafford, Kansas 67578-1342

RE: Water Right File No. 20506
Change in the Point of Diversion

Dear Mr. Saryerwinnie,

Big Bend Groundwater Management District #5 has reviewed the above referenced application to change the point of diversion. Based upon information received in the District office, the application appears to be consistent with 5-25-20(b) and is therefore recommended for approval.

The application to change is subject to the District's well equipment regulation K.A.R. 5-25-5 for a required flow meter.

Please feel free to give me a call if you have any questions.

Sincerely,

Orrin Feril
Manager

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NOV 16 2016

Stafford Field Office
Division of Water Resources

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,

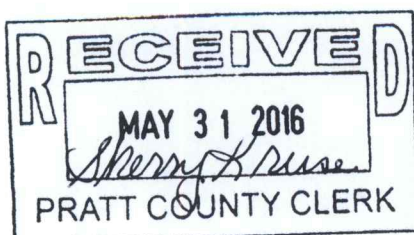
"GRANTEE"

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

2 OCT 17 2016

Stafford Field Office

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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OCT 17 2016

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