

CHECK SHEET

Short Change

(To be completed and attached to each application)

File No. 31291

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. None

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).** 1 **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
DEL	21559	NO	8	28S	19W	2640	1310	KW	NC E2
ENT		NO	8	28S	19W	2707	1370	KW	SE SW NE

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** Rattlesnake Creek **Is this correctly shown in WRIS?** Yes No

e. **Formation Name & No.** _____ **Special Use Area** ---

5. **Distances from the previous/original p/d:** 39 ' S 37 ' E

WATER RIGHT ACTION TRAIL COMMENTS

2/17/2017 Change Application Received (date accepted for priority)
 ___ / ___ / ___ Change Approved
 ___ / ___ / ___ Notice and Proof by 12/31/2017
 ___ / ___ / ___ Completion Requirement Removed (Change No. C _____)

METER ACTION TRAIL COMMENTS

___ / ___ / ___ 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 2/17/17 by TJS
 Date Entered by

CHECK SHEET ATTACHMENT

9. Changes to the place of use will be:

File Number 31291

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	13547	7465	8	28S	19W	Acres Authorized																	
						New Acres																	
						Acres Authorized																	
						New Acres																	
						Acres Authorized																	
						New Acres																	
						Acres Authorized																	
						New Acres																	

Names and Address:

1. Person ID # <u>13547</u> <u>DENNIS J & LYNETTE PAULY</u> <u>10186 J ST</u> <u>GREENSBURG KS 67054-6746</u>	2. Person ID # <u>13406</u> <u>DELORES C PANEY LIVING TRUST</u> <u>DELORES C PANEY TRUSTEE</u> <u>112 N RAINBOW LAKE RD</u> <u>WICHITA KS 67235-8503</u>	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 _____

Driller's Copy _____

GMD#5 _____

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. 31291

RECEIVED
11:20 am
FEB 17 2017
 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: Dennis Pauly

10186 J ST, GREENSBURG KS 67054-6746

Phone Number: (620)596-4193 Email address: _____

Name and address of Water Use Correspondent: DENNIS J & LYNETTE PAULY

10186 J ST, GREENSBURG KS 67054-6746

Phone Number: (620)596-4193 Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: DENNIS J & LYNETTE PAULY // DELORES C PANEY LIVING TRUST, DELORES C PANEY TRUSTEE

ADDRESS: 10186 J ST, GREENSBURG KS 67054-6746 // 112 N RAINBOW LAKE RD, WICHITA KS 67235-8503

(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					
8	28S	19W			30.85	31.00												31.00	30.85			123.70	

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 \$ 100.00 TR # _____ Receipt Date _____ Check # 1137

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the NC E2 Quarter
 of Section 8, Township 28 South, Range 19 W,
 in Kiowa County, Kansas, 2640 feet North 1310 feet West of Southeast corner of section.
 Authorized Rate 970 GPM Authorized Quantity 203 AF Depth of well 160 (feet)
 (DWR use only: Computer ID No. 1 GPS 2746 feet North 1407 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 SW Quarter of the NE Quarter
 of Section 8, Township 28 South, Range 19 W,
 in Kiowa County, Kansas, 2707 feet North 1370 feet West of Southeast corner of section.
 Proposed Rate 970 GPM Proposed Quantity 203 AF Proposed well depth (feet) ~175' CRC 2/17/17
 This point is: Additional Well Geo Center List other water rights that will use this point None see memo-log comments - Not Dakota.

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? _____
Lack of production

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

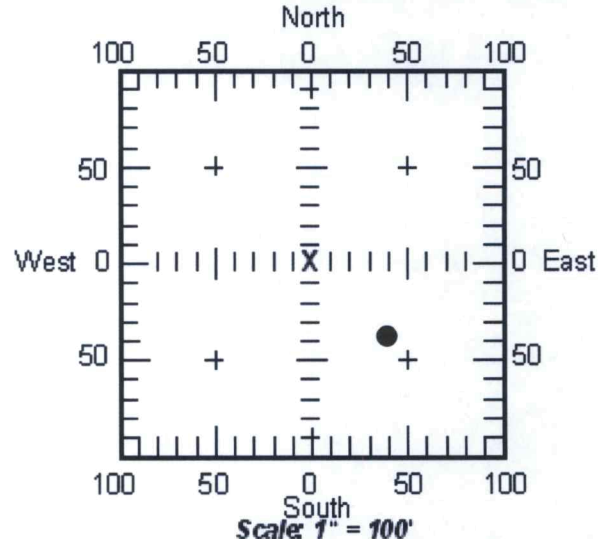
9. When do you propose to complete the new point of diversion?
ASAP

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
Plug
 (b) When will this be done? ASAP

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by TJS-SFFO

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on 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.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 2640 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.

RECEIVED
 FEB 17 2017

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).

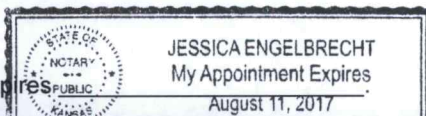
I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regard to the water right(s) to which this application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

Dated at Stafford, Kansas, this 17th day of February, 2017.

<u>Dennis Pauly</u> (Owner)	
<u>Dennis Pauly</u> (Please Print)	

State of Kansas }
 County of Stafford } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 17th day of February, 2017.

My Commission Expires  Jessica M. Engelbrecht
 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

RECEIVED
 FEB 17 2017

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. 31291.

- 1. A change application was received on 2/17/2017 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 50 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 104 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: 2/17/17

State of Kansas)
County of Stafford) SS

Acknowledged before me on 2/17/17
by Cameron Conant

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



My commission expires: _____
(Notary Seal)

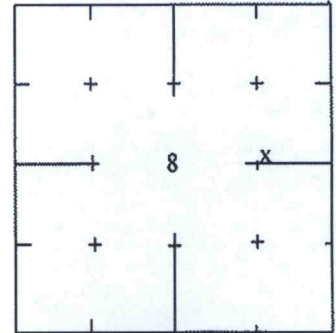
RECEIVED
FEB 17 2017
Stafford Field Office
Division of Water Resources

1108

CLARKE WELL & EQUIPMENT, INC.
LOG



JOB NUMBER 6658
 OF Formation Test SITE _____ NO. TH 1-03
 FOR Dennis Pauly
 DATE DRILLED 10/27/03
 LOCATION 1/4 NC 1/4 E 1/2 1/4, SECTION NO. 8
 T 28 S, R 19 W Kiowa COUNTY Kansas
 _____ FSL, _____ FEL STATE _____
 GPS - _____ E _____ N Zone _____ NAD 27



SECTION

GPS- 463203E 4163894N 25' Southeast of existing well

DEPTH	FORMATION THICKNESS	FORMATION	REMARKS
0 - 3		Topsoil	
3 - 10		Clay, brown	
10 - 70		Clay, brown, sandy	
70 - 80		Sand and gravel, fine to medium	
80 - 90		Sand and gravel, fine to coarse	
90 - 119		Sand and gravel, fine to coarse	
119 - 120		Clay, yellow	
120 - 130		Sand and gravel with clay streaks	
130 - 144		Clay, yellow and white with sand streaks	
144 - 168		Sand and gravel, fine to coarse	
168 - 175		Clay, yellow	
175 - 190		Dakota clay	

STATIC WATER LEVEL _____

WATER SAMPLES

FROM	TO	PPM CHLORIDE	OTHER TESTS
148	168		RECEIVED
			FEB 17 2017
			Stafford Field Office
			Division of Water Resources

170 FEET OF PVC 2 " PIPE WAS LEFT FOR FUTURE TESTING/SAMPLING.

PLUG/SEAL _____

BY _____

Lew Raybern
DRILLER

CERTIFICATE OF SERVICE

On this **17th** day of **February, 2017**, I hereby certify that the attached Approval of Application for Change in Point of Diversion for Water Right, File No. **31291** dated **February 17, 2017** was hand delivered to the following:

Dennis Pauly

pc: Water Rights Section-Manhattan, KS
GMD #5



Staff

Conant, Cameron

From: Conant, Cameron
Sent: Friday, February 17, 2017 10:55 AM
To: 'Clarke Well & Equipment - Accounting Dept.'
Subject: RE: Dennis Pauly (Water Right, File No. 31,291)

Thank you Jenna, that fixes us up and we will finish the change application and have it approved today.

Please let Mark know that the original well is not a Dakota well and the new well should not be screened at all in the Dakota. Based on the 2015 log, it appears the yellow clay starting at 169 through the red shale at 177 is the top of Dakota marker in this area (2003 log also shows this yellow clay starting at 168'). If the owner wants, the completed well can extend to 180' but it should not be screened below the top of the yellow clay marker at 169'. This has been discussed with Dennis Pauly while he was in the office.

If Mark has additional questions about completing the well, he can contact the Stafford Field Office and talk to myself or Tyler Saryerwinnie.

Thanks,
Cameron

From: Clarke Well & Equipment - Accounting Dept. [mailto:accounting@clarkewell.com]
Sent: Friday, February 17, 2017 10:35 AM
To: Conant, Cameron <Cameron.Conant@ks.gov>
Subject: Re: Dennis Pauley

Here are two logs for Dennis Pauly. If you have any questions, please call and ask for Mark Esfeld.

Thank you.

Jenna Andrews - Accounting Dept.
Clarke Well and Equipment, Inc.
8822 - 3rd Street
Great Bend, KS 67530
620-793-8493
620-793-8340 (fax)

On 2/17/2017 10:33 AM, Conant, Cameron wrote:

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

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: February 17, 2017

FROM: Tyler Saryerwinnie

RE: Water Right, File No. 31291
Proposed Well Depth

On February 17, 2017, Dennis Woods came into the Stafford Field Office to file a point of diversion change application, proposing a 54 foot move southeast of his previously authorized well. The original well was drilled to 160 ft (FIR 1989).

Mr. Woods provided two test hole logs; one from 2003 and another from 2015. The 2015 test hole log was drilled to a depth of 190 feet. On the log, the Dakota Formation was called at 175-190 feet. It was discussed with Mr. Woods that the well can be drilled down into the Dakota Formation, however, it cannot produce from the Dakota Formation. He was informed that the point of diversion change will only authorize a well which produces from the same source of supply as the original well and this will be verified when he provides a completed well log.