

Garden City Field Office 2508 Johns Street Garden City, Kansas 67846-2804

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov

Sam Brownback, Governor

December 15, 2016

STAN GOETZ 10950 101 RD DODGE CITY KS 67801-6566

RE: Change in Point of Diversion Water Right, File No 26367

Dear Mr. Goetz:

Enclosed you will find a *Summary Order Approving Application for Change in Point of Diversion* for the above referenced file. This order modifies the authorized well location under the referenced file. This order modifies the original document; it should be recorded at the County Register of Deeds.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this order. The diversion works should be completed and reported to the Division of Water Resources by December 31, 2017. Enclosed is a form for this purpose, along with other information for reference.

A condition of this order is that an acceptable flow meter must be properly installed on the diversion works authorized under the referenced file number in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12. This water flow meter shall be used to provide information required on the annual water use report.

This order shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order. The date of service is the date listed on the enclosed *Certificate of Service*.

Should you have any questions, please feel free to call this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

Thomas P. Makens

Assistant Water Commissioner

TPM:tpm Enclosures GMD#3

CERTIFICATE OF SERVICE

On this day of December 2016, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 26367 dated December 15, 2016 was mailed postage prepaid, first class, US mail to the following:

STAN GOETZ 10950 101 RD DODGE CITY KS 67801-6566

Copy provided to GMD#3

Division of Water Resources

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.

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						□ F	lace o	f Use		\boxtimes	Point	of Div	ersion						ter Resource
	under th	ie water	right v	which i	s the s	ubject	of this	appli	cation	in acco	ordanc	e with	the co	ndition	s desc	cribed	below.		
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	10950 1																		
	Phone N								Email	addre									
	Name a							it: ST.											
	10950 1																		
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3.	The pres	sently a	uthoriz	ed pla	ce of u	ıse is:													
	Owner o	of Land	N/	AME:	<u>STAN</u>	GOET	Z												
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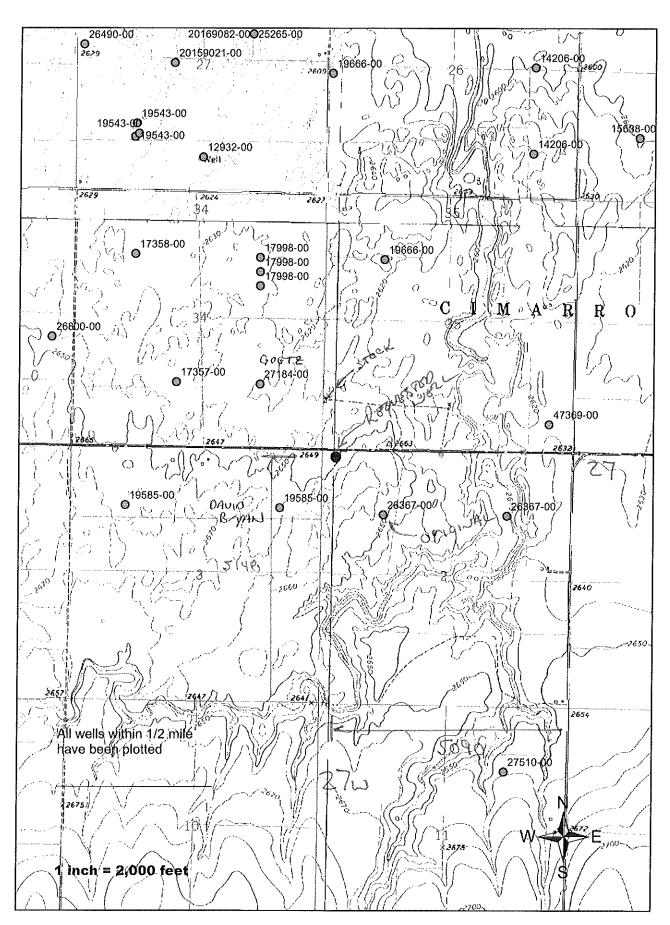
5.	Presently authorized point of diversion:					
	One in the Quarter of the	nc	Quart	er of the	nw	Quarter
	of Section, Township					
	in <u>Gray</u> County, Kansas, <u>3690</u> fe	eet Nor	th <u>3940</u> t	feet West of So	outheast corn	er of section.
	Authorized Rate Authorized Quantity		Depth o	f well	(fe	et)
	(DWR use only: Computer ID No. 2 GPS				feet W	est)
	☐ This point will not be changed ☐ This point will be	e chang	ged as follows:			
	Proposed point of diversion: (Complete only if change i	is requ	<u>ested)</u>			
	One in the Quarter of the	nw	Quart	er of the	nw	Quarter
	of Section, Township	27	South	, Range	27	W,
	in Gray County, Kansas, 5148 fe					
	Proposed Rate Proposed Quantity		Propose	ed well depth (fe	et) <u>231</u>	•
	This point is: Additional Well Geo Center List other	er water	rights that will ι	ise this point _		
	CHV 1970					
6. [Presently authorized point of diversion:					
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٠,	in <u>Gray :</u>	eet Nor	th <u>1340</u> 1	feet West of So	outheast corn	er of section.
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	(DWR use only: Computer ID No GPS _		feet No	orth	feet W	est)
	☐ This point will not be changed ☐ This point will be	e chanç	ged as follows:			
	Proposed point of diversion: (Complete only if change i	is requ	<u>ested)</u>			
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	of Section, Township		South	, Range		(E/W),
	in County, Kansas, fe	eet Nor	th 1	feet West of So	outheast corn	er of section.
	Proposed Rate Proposed Quantity					1
L	This point is: Additional Well Geo Center List other	er water	rights that will ι	ise this point _		
	Why do you need a new point of diversion? old well needs to be replaced If a well, is the test hole log attached? ☑ Yes ☐ No When do you propose to complete the new point of diversion?		represents pres	ing point of divention to see in relation to see it. The "X" in sently authoriz North	ersion, indicat the existing p n center of ed point of di 1	e its location on oint of diversion. diagram below iversion.)
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	December 15 2016		<u>_</u>	_	.	_
10.	If the point of diversion is a well:		West 0 - I			
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	(b) When will this be done? 2016		<u> </u>	l - .	1	
			462			
11.	Groundwater Management District recommendation		100	50 0 Soutl	50 ⁻	100
	attached?			Scale: 1"	= 100'	
12.	Assisted by tpm		diversion, attack	ithin 1320 feen a topographing sources, show the proposition addresses show the name-half mile do	ot from the e c map or ae r all wells (included osed point of d of the owner mes and ad ownstream an	existing point of rial photograph. luding domestic) liversion and the rs. For surface dresses of the

14. If the proposed groundwater point of diversion is 300 c	or fewer feet from existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the ☐ Yes ☐ No (If no, all owners must	currently authorized place(s) of use identified in this application? sign this application.)
 (b) Will the ownership interest of any owner of the confected if this application is approved as requested. ☐ Yes ☐ No (If yes, all owners must 	
(c) If this application is not approved expeditiously, w ☐ Yes ☐ No (If no, all owners must	ill there be substantial damage to property, public health or safety? sign this application.)
	of diversion, a groundwater change in point of diversion greater than 300 fee if by all owners of the currently authorized place of use, or their duly authorize on).
age and the owner, the spouse of the owner, or a their behalf, in regard to the water right(s) to whe contained in this application are true, correct and	ath or affirmation and under penalty of perjury, that I am of lawfu duly authorized agent of the owner(s) to make this application or lich this application pertains. I further verify that the statement complete.
Dated at GARDEN 174	, Kansas, this 21 ST day of NOVEMBER, 20 16.
x Ston Yout	
STAN GOKTZ	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	A. TAMMY KELLS (Please Print)
State of Kansas SS	My Appt. Expires 5-28-17
I hereby certify that the foregoing application was	signed in my presence and sworn to before me this 21 day of
	1 Januar Kells
My Commission Expires 528.17 .	Notary Public
	be complete, all of the applicable portions of the application form must be completed wit ures of all the appropriate owners' must be affixed to the application and notarized; and
	FEE SCHEDULE
Each application to change the place of use or the point of forth in the schedule below: Make checks payable to: Kan (1) Application to change a point of diversion more (2) Application to change a point of diversion more	diversion under this section shall be accompanied by the application fee set
e a form to the second of the	

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. 26367 A change application was received on November 22, 2016 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 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 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 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 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 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 The completed well log shall be submitted with the required notice. Applicable ☐ Not Applicable 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 √No Additional Conditions are attached. ☐ Yes 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND You have the right to a hearing in accordance with K.A.R. 5-14-3 SUMMARY ORDER ISSUED 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 Duly Authorized Designee of the Chief Engineer 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 (Print Name): THOMIS WITKENS Order will become effective on the 15th day after the date shown Division of Water Resources - Kansas Department of Agriculture on the Certificate of Service. Date of Issuance: _ EC GM NGR For Use by Register of Deeds State of Kansas SS County of Acknowledged before me on Signature: Notary Public 当時の JULIE JONES NOTARY My Appointment Expires December 15, 2018 My commission expires: (Notary Seal)



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3795 W. Jones Ave. Garden City, KS 67846 PH: 620-277-2389



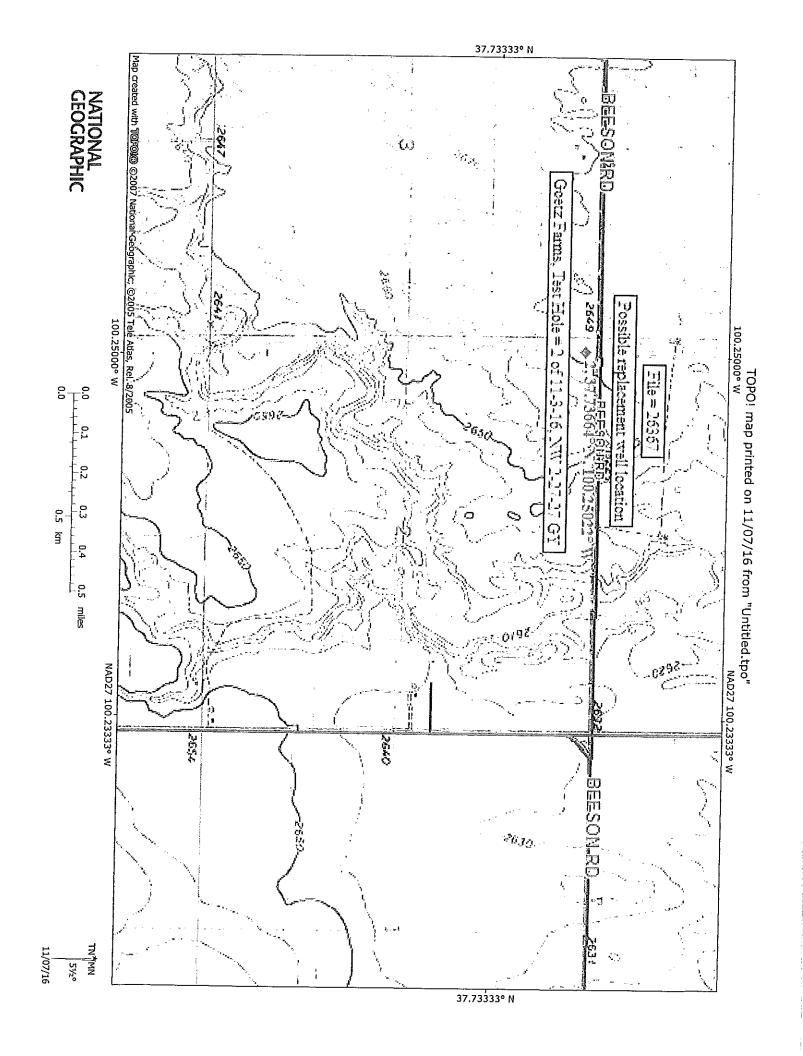
PO Box 639 Garden City, KS 67846 Fax: 620-277-0224

JOE GOETZ CELL 620-338-0596

Street Add City, State	dress: e:	Goetz Farms 10950 Donasci	ROBO 101 TY KS 67801	Test #:	11281 2 Dule G	Date: // E LOG:	-3-16
County: Location:	Gray	Quarter: NW	Section: 2	Township: PS: <u>N37, 73664</u>	27	Range:	27
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	63		100	Fine Sand Gray Clay Sond fine to mad const Small gravel Brown Clay
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15	180	17	197	Sand fine to med w/ some clay stringers
	197		200	Brown Sandy clay
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				Best Plug - 5 Perms Plug - 1

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Garden City Field Office 2508 Johns Street Garden City, Kansas 67846-2804

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov Sam Brownback, Governor

November 22, 2016

DAVID E BRYAN 22004 U RD CIMARRON KS 67835

RE: Water Right 26367

Dear Mr. Bryan;

This is to advise you that the Stan Goetz has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced application.

You can find the complete application posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices

You are notified on this proposed change in point of diversion so that you may furnish this office with any comments or other information you may want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

Thomas P. Makens

Environmental Scientist III

pc: GMD#3



Garden City Fleld Office 2508 Johns Street Garden City, Kansas 67846-2804

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov Sam Brownback, Governor

December 8, 2016

Southwest Kansas Groundwater Management District No 3 409 Campus Drive, Suite 106 Garden City KS 67846

Re: Water Right file number 26367

Dear Mr. Norquest;

Stan Goetz has applied to relocate the well authorized by the above water right number. There are 2 neighboring wells within ½ mile of the requested.

We are delaying action for 15 days on the change application to allow you time to review and provide a recommendation if you feel one is warranted.

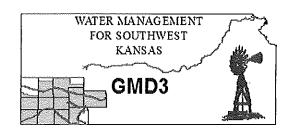
Thank you and as always feel free to call or write us at any time.

Sincerely;

Thomas P Makens

TPM:tpm enc

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Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street

Garden City, Kansas 67846 (620) 275-7147 phone (620) 275-1431 fax www.gmd3.org

December 13, 2016

Thomas P. Makens Division of Water Resources 2508 N Johns Street Garden City, Kansas 67846

RECEIVED

DEC 1 4 2016

Application for Change in Point of Diversion

Water Right, File No. 26,367

Garden City Field Office Division of Water Resources

Dear Thomas:

RE:

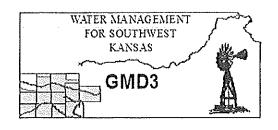
We have completed a review of the application for the above referenced water right. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed distance moved is in accordance with K.A.R. 5-23-3. Proposed spacing to the neighboring well under Water Right, File No. 19,585 is not met according to WRIS, however GPS from a GMD3 field inspection shows it does meet the current spacing required by K.A.R. 5-23-3(b)(2) It is therefore recommended that the application be approved at this time.

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

Sincerely,

Jason L. Norquest Assistant Manager 1000

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Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street

Garden City, Kansas 67846 (620) 275-7147 phone (620) 275-1431 fax www.gmd3.org

December 13, 2016

Thomas P. Makens Division of Water Resources 2508 N Johns Street Garden City, Kansas 67846

RECEIVED

DEC 1 3 2016

RE: Application for Change in Point of Diversion Water Right, File No. 26,367

Garden City Field Office Division of Water Resources

Dear Thomas:

We have completed a review of the application for the above referenced water right. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed distance moved is in accordance with K.A.R. 5-23-3. Proposed spacing to the neighboring well under Water Right, File No. 19,585 is not met according to WRIS, however GPS from a GMD3 field inspection shows it does meet the current spacing required by K.A.R. 5-23-3(b)(2) It is therefore recommended that the application be approved at this time,

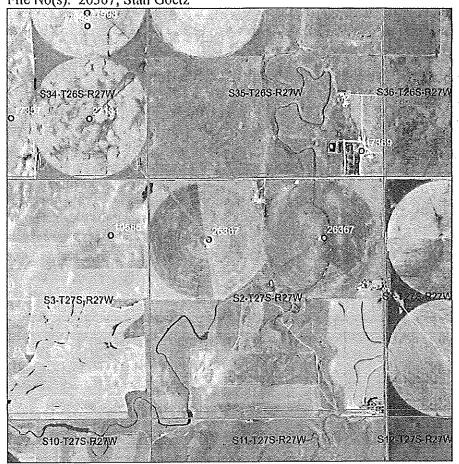
Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,

Jason L. Norquest Assistant Manager

GMD3 Change Review

Change Application(s); PD File No(s). 26367; Stan Goetz



RECEIVED

OEC 1 3 2016

Garden City Field Office Division of Water Resources

	N	W.	
Current PD	3690	3940	sect. 2-27-27
Proposed PD	5148	5090	
	-1458 N	-1150 W	
a2+b2=c2	2125764 +	1322500 =	1856,95 foot move NW

Neighboring wells: WRIS shows spacing NOT met to WR 19585, however, GPS from GMD3 field inspection shows it DOES meet spacing(LEO attached). All other wells meet spacing, see WRIS report

Domestic wells: All domestics found meet spacing.

Regulation(s) Reviewed: KAR 5-23-3

Board Review Date: NA Board Recommendation: NA

Waiver Reason: NA

Final Recommendation: After review of all available information, it appears the area

rules are met. Staff therefore recommends approval of the application.

JA

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Water Rights and Points of Diversion Within 1.00 miles of point defined as:
  5148 ft N and 5090 ft W of the SE Corner of Section 2. T 27S. R 27W
Located at: 100.250219 West Longitude and 37.736642 North Latitude
GROUNDWATER ONLY
File Number Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth Quan Add Quan Unit
                         3607 -- SE NE SW 1340 3095 34 26 27W
                                                                              280.00 AF
     17357 00 IRR NK G
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     17998 00 IRR NK G
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Same
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Total Net Quantities Authorized: Direct
                                         Storage
Total Requested Amount (AF) =
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                                             .00
                                                                            RECEIVED
Total Permitted Amount (AF) =
                              .00
                                             .00
Total Inspected Amount (AF) =
                               .00
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Total Pro Cert Amount (AF) =
                            15.00
                                             .00
                                                                           DEC 1 3 2016
Total Certified Amount (AF) =
                            2024.00
                                             .00
                                                                         Garden City Field Office
Total Vested
           Amount (AF) =
                                .00
                                             .00
TOTAL AMOUNT
An * after the source of supply indicates a pending application for change for the file number.

An * after the XD indicates a pending application for change for the file number.
                   (AF) =
                            2039.00
                                             .00
An * after the ID indicates a 15 AF exemption was granted for the file number,
A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
The number in the Batt column is the number of wells in the battery.
Water Rights and Points of Diversion Within 1.00 miles of point defined as:
 100.250219 West Longitude and 37.736642 North Latitude
GROUNDWATER ONLY
WATER USE CORRESPONDENTS:
File Number
            Use ST SR
A___ 17357 00 IRR NK G
  GOETZ FARMS INC
> STAN GOETZ
> 10950 101 RD
> DODGE CITY KS 67801
17998 00 IRR NK G
> KENNETH GOETZ
> 10950 101 RD
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> DODGE CITY KS 67801

A__ 19585 00 IRR NK G

> DAVID E BRYAN

>-----

X

	INPUTS		
	Longitude	Latitude	
Point 1	-100.250220	37.736640	Proposed 26367
Point 2	-100,254220	37.733430	19585 ID1

Degrees Longitude per Foot Degrees Latitude per Foot 3.45775350E-06 2.74621754E-06

Distance Between Points (ft)

1645

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DEC 1 3 2016

Garden City Field Office Division of V/ater Resources

Compute Distance Between Points

Instructions

1. Enter Longitudes and Latitudes of the two points (both must be in the same datum, NAD27 or NAD83).

2. Click "Compute Distance Between Points" button.