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



Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov

Sam Brownback, Governor

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner

August 9, 2017

Joshua Gooden 109 W 9th Scott City KS 67871

RE: Change the Place of Use, File Nos 10734, 21445.

Dear Mr, Gooden;

Enclosed you will find a Summary Order Approving Application for Change in Place of Use for the above referenced files. Since these orders modify the original documents, it should be recorded at the County Register of Deeds.

These orders modify the authorized acres that can be irrigated by these files. The authorized place of use is as shown on the plats within the change approvals.

An acceptable water flow meter was required to be installed on the diversion works by earlier requirement of the Chief Engineer. These water flow meters 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 or arrange an appointment 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

Assistant Water Commissioner

TPM:tpm Enclosures C: GMD#3

CERTIFICATE OF SERVICE

On this day of August 2017, I hereby certify that the attached original Approval of Application to Change the Place of Use under Water Right File 10734, 21445 dated August 9, 2017, was mailed postage prepaid, first class, US mail to the following:

Joshua Gooden 109 W 9th Scott City KS 67871

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) 862-6300 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 www.ksda.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	Place o	f Use			Point	of Div	ersion			Di	vision	of Wat	ar Resources
	under th	ne water	right v	which i	is the s	subject	of this	applic	cation	in acc	ordanc	e with	the co	nditior	ns desc	cribed	below.		
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3.	The pre																		
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			ADDR	ESS:	109 W	^{'9th} Sc	ott City	, KS 6	37871										
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12.	Assisted by CL - C	GMD3			100.	100 feet 1	but within 1	320 feet 1	from the	existing	point of
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						landowner	(s) one-half	mile dowr	nstream	and one	e-half mile
						upstream f	rom your pro	perty lines.	•		

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

FILE NO. 21445

MAKE ADDITIONAL COPIES AS NECESSARY

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APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

FILE NO.

Presently authorized	point of diversion:		
One in the	Quarter of the	Quarter of the	Quarter
of Section	Township feet N	South, Range	(EW).
l in	County, Kansas, feet N	orth feet West of Southeas	st corner of section.
Authorized Rate	Authorized Quantity	Depth of well	(feet)
(DWR use only: Com	puter ID No GPS	feet North1	feet West)
│	Authorized Quantity puter ID No. GPS be changed This point will be cha	nged as follows:	•
	ersion: (Complete only if change is req		
One in the	Quarter of the	Quarter of the	Quarter
of Section	, Township County, Kansas, feet N Proposed Quantity	South, Range	(EW),
in	County, Kansas, feet N	orth feet West of Southeas	st corner of section.
Proposed Rate	Proposed Quantity	Proposed well depth (feet)	
This point is: Addition	onal Well Geo Center List other wat	er rights that will use this point	
<u> </u>			
Presently authorized	point of diversion:		
One in the	Quarter of the	Quarter of the	Quarter
of Section	Township	South Range	/F///\
in	County, Kansas, feet N	orth feet West of Southeas	st corner of section.
Authorized Rate	Authorized Quantity	Depth of well	(feet)
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Proposed point of div	ersion: (Complete only if change is req	uested)	
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in	County, Kansas. feet N	orth feet West of Southeas	t corner of section.
Proposed Rate	Proposed Quantity	Proposed well depth (feet)	
This point is: Addition	onal Well Geo Center List other wat	er rights that will use this point	

Presently authorized	noint of diversion:		
		Overton of the	O
One in the	Quarter of the	Quarter of the	Quarter
or Section	Quarter of the, Township feet No.	South, Range	t corpor of coeffee
Authorized Rete	County, Nansas, reet ive	Donth of well	(foot)
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	<u>ersion: (Complete only if change is reg</u>		
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In	County, Kansas, feet N	orth feet West of Southeas	t corner of section.
Proposed Rate	Proposed Quantity	Proposed well depth (feet)	•
This point is: Addition	, Townshipfeet Nofeet No	er rights that will use this point	
Presently authorized	point of diversion:		
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of Section	, Township	South, Range	(E/W),
in	County, Kansas, feet N	orth feet West of Southeas	t corner of section.
Authorized Rate	Authorized Quantity	Depth of well	(feet)
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│ (DWR use only: Com │	Quarter of the, Township feet Note that the county, Kansas, feet Note that the character is consistent will be character to the character is consistent will be character in the character is consistent will be character in the character in the character is consistent will be character in the character in the character is consistent with the	nged as follows:	
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Proposed point of div	ersion: (Complete only if change is req	uested)	
Proposed point of div	ersion: (Complete only if change is req	uested)	
Proposed point of div One in the of Section in Proposed Rate	be changed	uested) Quarter of the South, Range rth Proposed well depth (feet)	Quarter (E/W), it corner of section.

(a) Does the undersigned represent all owners ☐ Yes ☐ No (If no, all owners	of the currently auth s must sign this appli		identified in this application?
(b) Will the ownership interest of any owner o affected if this application is approved as re ☐ Yes ☐ No (If yes, all owner	f the currently author equested? rs must sign this app		identified in this application be adversely
(c) If this application is not approved expedition ☐ Yes ☐ No (If no, all owners	usly, will there be sub s must sign this appli		operty, public health or safety?
If the application proposes a surface water change in or a change in place of use, the application must be agent (attach notarized statement authorizing repres	signed by all owners	a groundwater change of the currently autho	in point of diversion greater than 300 feet, rized place of use, or their duly authorized
I hereby verify, being first duly sworn upon age and the owner, the spouse of the owner their behalf, in regard to the water right(s) contained in this application are true, correct	r, or a duly author to which this app	ized agent of the o	wner(s) to make this application on
Dated at	, Kansas, this	day of	, 20
Jul. June		Janeen.	Gooden
(Owner)		(Ha	(Spouse)
Joshua J. Gooden		Wareen	(nooden (Please, Print)
(Meh. Lar.		Susie	E Gooden
(Owner)			(Spouse)
ARCHIE BIXIDEN		SUSIE	GOODEN
(Please Print)			(Please Print)
(Owner)			(Spouse)
,			(-),
(Please Print)	•		(Please Print)
State of Kansas County of SS			VIARY PUBLIC - State of Kansas COLLEEN DEARDEN My Appt. Exp. 4-1-14
I hereby certify that the foregoing application of, 20	n was signed in r	ny presence and s	worn to before me this day
	_	Callo	N Deardent
My Commission Expires	_•		Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED accurate information; maps, if necessary, must be included; the appropriate fee must be paid.	D. To be complete, all of signatures of all the ap	of the applicable portions propriate owners' must be	of the application form must be completed with e affixed to the application and notarized; and
	FEE SCHEDU	LE	
Each application to change the place of use or the port forth in the schedule below: Make checks payable to (1) Application to change a point of diversion (2) Application to change a point of diversion (3) Application to change the place of use.	oint of diversion unde : Kansas Department 1 300 feet or less In more than 300 feet	r this section shall be ent of Agriculture	\$100 \$200

14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

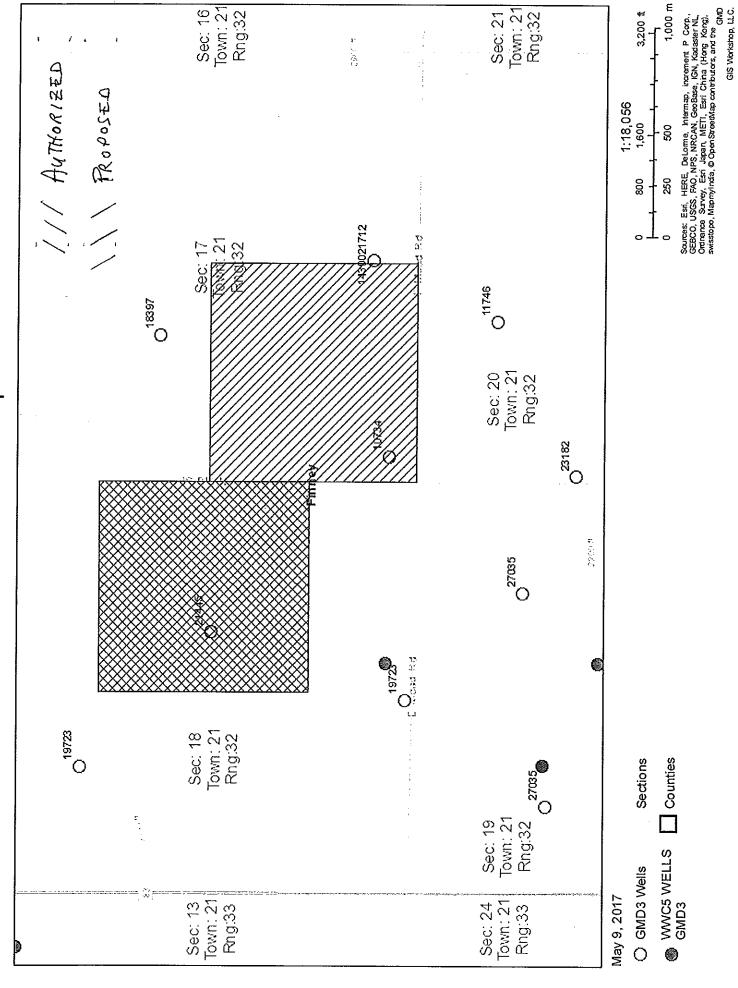
This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-14-3 and other applicable provisions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, K.A.R. 5-1-1 et.seq. With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 21445. A change application was received on <u>July 19, ZO17</u> requesting that the place of diversion authorized under the above-referenced file number be changed as described in the application. A change application was received on _ requesting that the place of use and / or point of 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 \int \text{Not Applicable} The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a ______ foot radius of the authorized point(s) of diversion.

Applicable The point(s) of diversion authorized herein shall not actually be located more than feet from the previously ☐ Applicable Not Applicable authorized point(s) of diversion. 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, 20_____, 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. Not Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20_____, or within any authorized extension of time. By March 1, 20____ 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 The completed well log shall be submitted with the required notice. Not Applicable ☐ 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 10. 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-SUMMARY ORDER ISSUED 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, 109 SW 9th Street, Topeka, Kansas 66612, within 15 days after the Duly Authorized Designee of the Chief Engineer 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 HOMAS MAKEN (Print Name): _ Division of Water Resources - Kansas Department of Agriculture after the date shown on the Certificate of Service. 2017 Date of Issuance: For Use by Register of Deeds State of Kansas SS County of Finner Acknowledged before me on by Ihomas P Makens Signature: __ Notary Public Alle o SUE KEENY YRATON My Appointment Expires Puace June 8, 2018

(Notary Seal)

My commission expires:



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