

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
DIVISION OF WATER RESOURCES  
GARDEN CITY FIELD OFFICE  
2508 JOHNS STREET  
GARDEN CITY, KS 67846-2804



PHONE: (620) 276-2901  
FAX: (620) 276-9315  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

May 18, 2018

ALBERT SAVOLT  
2810 N BROADMOOR PL  
GARDEN CITY KS 67846

RE: Water Right 10734

Dear Mr. Savolt:

This is to advise you that the Archie Gooden 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](http://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,

A handwritten signature in black ink, appearing to read "Thomas P. Makens".

Thomas P. Makens  
Environmental Scientist III

pc: GMD#3



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JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

May 18, 2018

ORAN TANKERSLEY  
5461 W ROAD 90  
SCOTT CITY KS 67871

RE: Water Right 10734

Dear Mr. Tankersley:

This is to advise you that the Archie Gooden 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](http://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,

A handwritten signature in black ink, appearing to read "Thomas P. Makens".

Thomas P. Makens  
Environmental Scientist III

pc: GMD#3



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.

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.

RECEIVED  
 10:40 AM  
 MAY 08 2018

File No. 10734

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

Garden City Field Office  
 Division of Water Resources

2. Name and address of Applicant: GOODEN ENTERPRISE LLC JOSHUA J GOODEN  
109 W 9TH ST SCOTT CITY KS 67871-1561  
 Phone Number: ( ) \_\_\_\_\_ Email address: \_\_\_\_\_  
 Name and address of Water Use Correspondent: ARCHIE L & SUSIE E GOODEN  
485 E MEAD RD GARDEN CITY KS 67846-9379  
 Phone Number: ( ) \_\_\_\_\_ Email address: \_\_\_\_\_

3. The presently authorized place of use is:  
 Owner of Land ---- NAME: ARCHIE L & SUSIE E GOODE GOODEN ENTERPRISE LLC  
 ADDRESS: 1 2 3  
 (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	

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 to acres irrigated  
 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 \$ 200 TR # \_\_\_\_\_ Receipt Date 5/8/18 Check # 1875

5. **Presently authorized point of diversion:**  
 One in the sw Quarter of the sw Quarter of the sw Quarter of Section 17, Township 21 South, Range 32 W, in Finney 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. 1 GPS 202 feet North 5054 feet West)  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the sw Quarter of the sw Quarter of the sw Quarter of Section 18, Township 21 South, Range 32 W, in Finney County, Kansas, 940 feet North 814 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         .

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:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 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. The changes herein are desired for the following reasons?  
 (please be specific) old well needs to be replaced

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

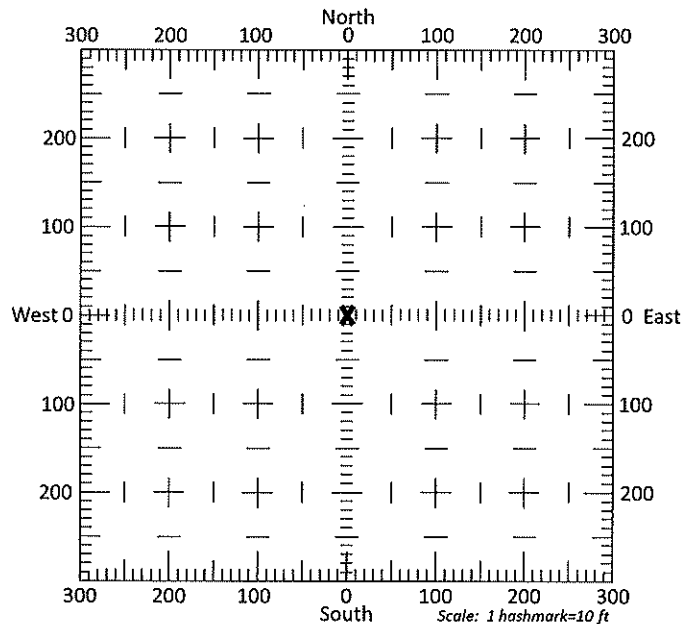
9. The change(s) (was)(will be) completed by?  
May 30, 2018

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? 2018

11. Groundwater Management District recommendation attached?  
 Yes  No

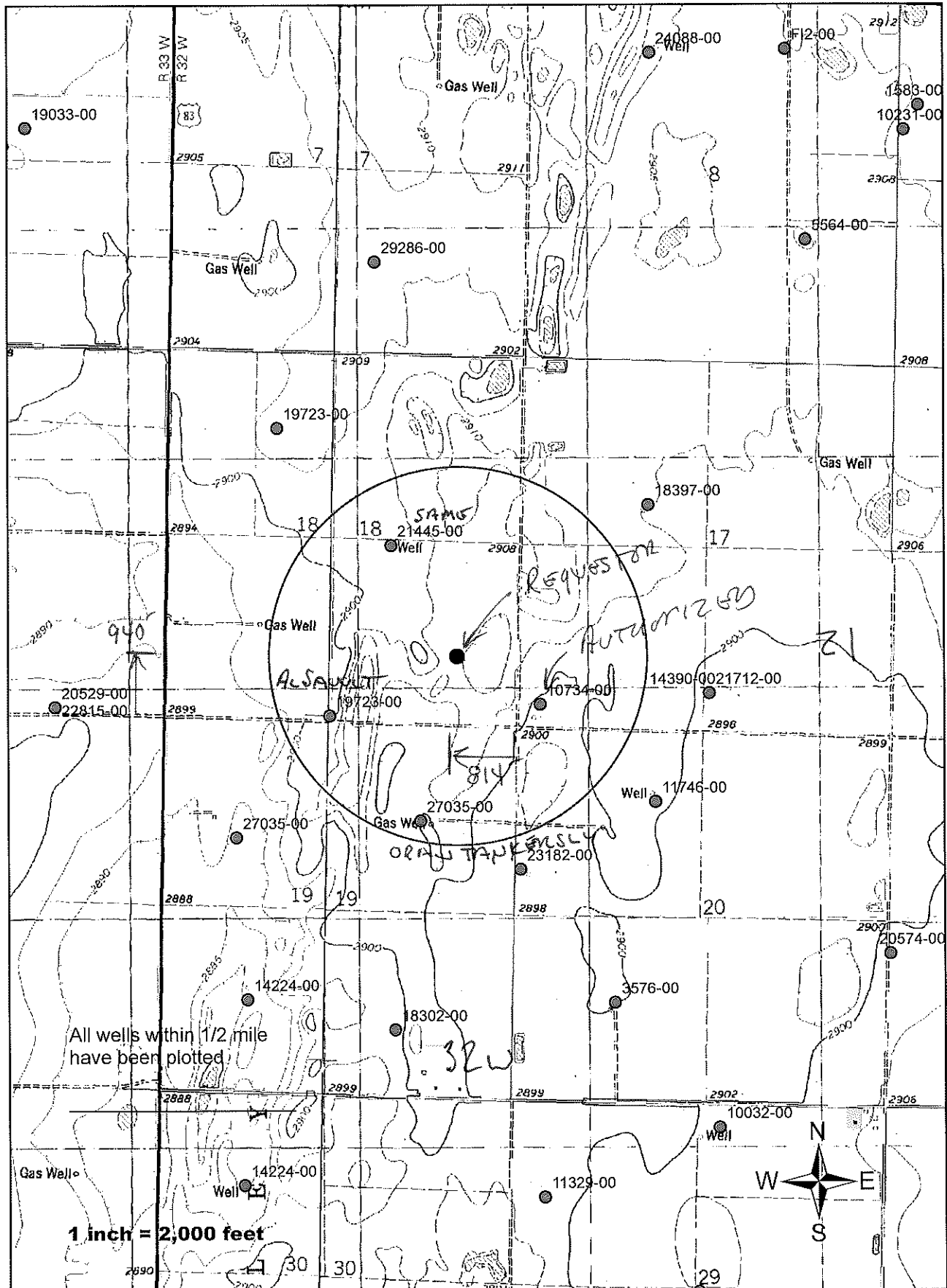
12. Assisted by tpm

13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of 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



13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

10734







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



**Hydro**  
resources

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

DR. ROSANNA GOODEN

785-672-2704

APR 26 2018

APR 27 2018

Customer Name: Gooden Enterprises  
Street Address: 109 W 9th  
City, State: Scott City, KS 67871  
County: Finney Quarter: SE Section: 18  
Location: \_\_\_\_\_  
Rig #: 10002

Date: 4-26-18  
E LOG: Yes  
Test #: 2  
Driller: Dale Guinn  
Township: 21 Range: 32

GPS: N38,22420 W100,86864  
Static WL: 138' Estimated? \_\_\_\_\_  
Proposed Well Depth: 216  
POSSIBLE WELL LOCATION: 20' Sharp

%	Footage			Description of Strata
	From	Pay	To	
	0		2	Top Soil
	2		8	Brown Sandy Clay
	8		27	Fine sand w/ few clay stringers
	27		53	Brown Sandy Clay
	53		60	Gray Clay
	60		66	Sand fine to med course few small gravel
	66		84	Brown Clay w/ some caliche strips
	84		90	Lime Rock & Cemented sand
	90		106	Light Green Sand w/ few lime rock
	106		111	Sand fine to med course
	111		120	Fine sand w/ few clay stringers - Drilled little tight -
	120		131	Sand fine few med
25	131	10	148	Sand fine to med course
10	148	15	163	Fine sand w/ few clay stringers
5	163	22	185	Sand fine to med w/ many clay stringers
25	185	11	196	Sand fine to med course - Drilled loose -
	196		198	White Clay
	198		206	Yellow Soapstone
	206		220	Black Shale
				095456
				Super Gel X -1
				Bent's Plug 3/4 -6
				Perma Plug -1
				10734



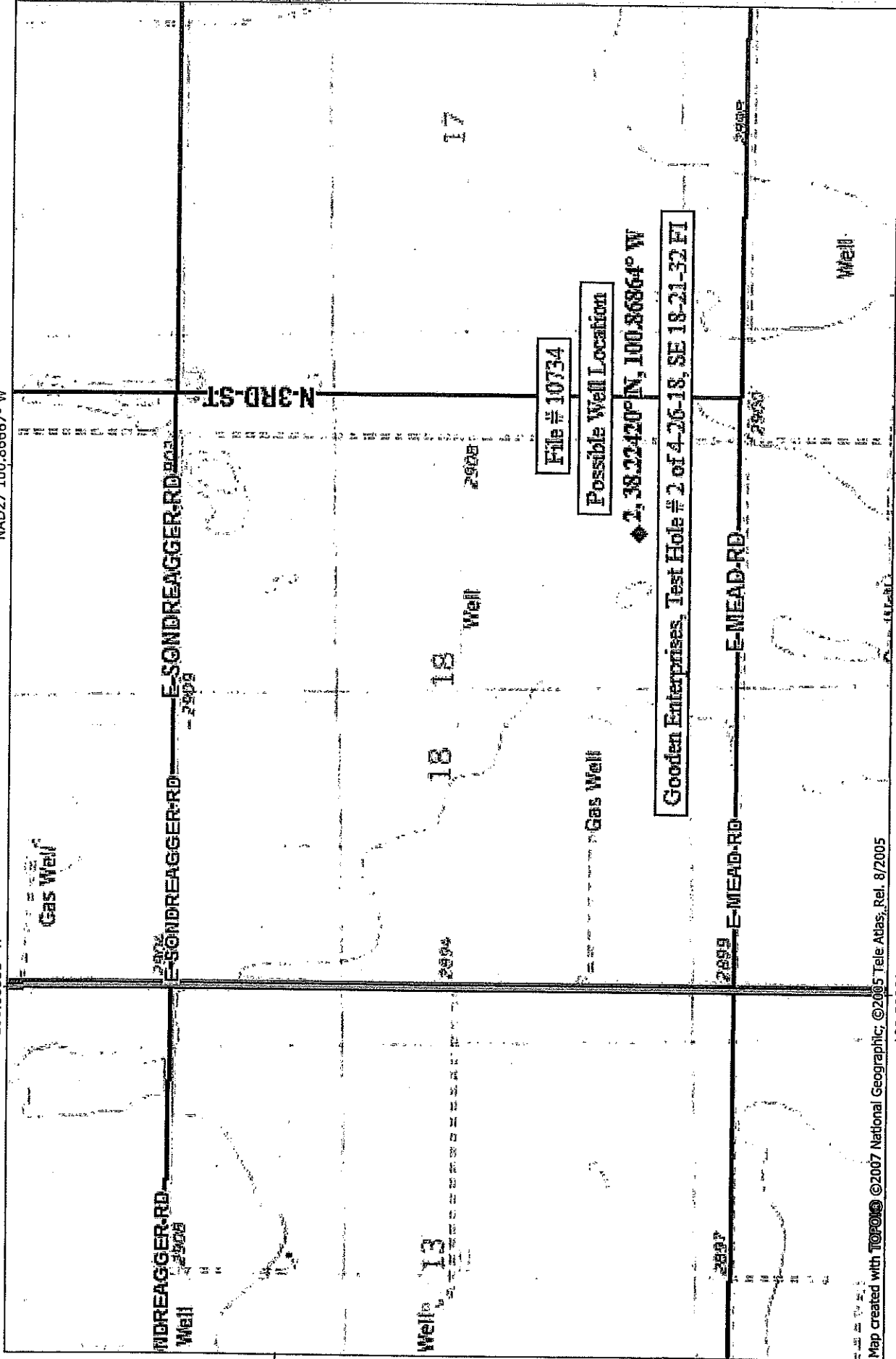
TOPO! map printed on 04/28/18 from "Untitled.tpo"

100.88333° W

NAD27 100.86667° W

38.23333° N

38.23333° N

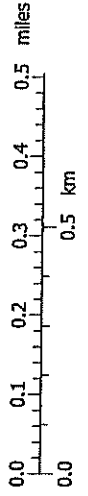


Map created with TOPO! © 2007 National Geographic, © 2005 Tele Atlas, Rel. 8/2005

100.88333° W

NAD27 100.86667° W

NATIONAL GEOGRAPHIC



TNTM N

5/2°

04/28/18



**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. 5-5-1, *et seq.* and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 21445.

- 1. A change application was received on \_\_\_\_\_ 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 described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application.  Applicable  Not Applicable
- 5. 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
- 6. 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
- 7. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before **December 31, 2018**, 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
- 8. Installation of the works for diversion of water shall be completed on or before **December 31, 2018**, or within any authorized extension of time. By March 1, 2019 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
- 9. The completed well log shall be submitted with the required notice.  Applicable  Not Applicable
- 10. 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
- 11. Additional Conditions are attached.  Yes  No
- 12. 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**

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

*For Use by Register of Deeds*

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

By: \_\_\_\_\_  
Duly Authorized Designee of the Chief Engineer

(Print Name): \_\_\_\_\_  
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: \_\_\_\_\_

State of Kansas )  
   ) SS  
County of \_\_\_\_\_ )

Acknowledged before me on \_\_\_\_\_  
by \_\_\_\_\_.

Signature: \_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_  
(Notary Seal)

14. If the proposed groundwater point of diversion is 300 or fewer feet from the 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 regards 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 GARDEN CITY, Kansas, this 8<sup>th</sup> day of MAY, 20 18.

X [Signature]  
 \_\_\_\_\_  
 (Owner)

X [Signature]  
 \_\_\_\_\_  
 (Spouse)

\_\_\_\_\_  
 (Please Print)  
 X [Signature]  
 \_\_\_\_\_  
 (Owner)

\_\_\_\_\_  
 (Please Print)  
 \_\_\_\_\_  
 (Spouse)

\_\_\_\_\_  
 (Please Print)  
 \_\_\_\_\_  
 (Owner)

\_\_\_\_\_  
 (Please Print)  
 \_\_\_\_\_  
 (Spouse)

\_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Please Print)

State of Kansas  
 County of FINNEY } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 8<sup>TH</sup> day of MAY, 20 18.



[Signature]  
 \_\_\_\_\_  
 Notary Public

My Commission Expires 9-18-18.

**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

*620-271-8143*