



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

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

Phone: (620) 276-2901  
Fax: (620) 276-9315  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

October 12, 2016

SYRACUSE DAIRY LLC  
751 SE CR 36  
SYRACUSE KS 67878-7822

RE: Change in Point of Diversion Water Right, File No 20951

Dear Mr. Houtsma:

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,

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

Thomas P. Makens  
Assistant Water Commissioner

TPM:tpm  
Enclosures  
GMD#3

**CERTIFICATE OF SERVICE**

On this 13<sup>th</sup> day of October 2016, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 20951 dated October 12, 2016 was mailed postage prepaid, first class, US mail to the following:

SYRACUSE DAIRY LLC  
751 SE CR 36  
SYRACUSE KS 67878-7822

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.

**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. 20951

RECEIVED  
 4:10 PM  
 SEP 22 2016

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

Place of Use                       Point of Diversion

Garden City Field Office  
 Division of Water Resources

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: SYRACUSE DAIRY LLC

751 SE CR 36 SYRACUSE KS 67878-7822

Phone Number: (     )                      Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: SYRACUSE DAIRY LLC

751 SE CR 36 SYRACUSE KS 67878-7822

Phone Number: (     )                      Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: SYRACUSE DAIRY LLC

ADDRESS: 751 SE CR 36 SYRACUSE KS 67878-7822

(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

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			

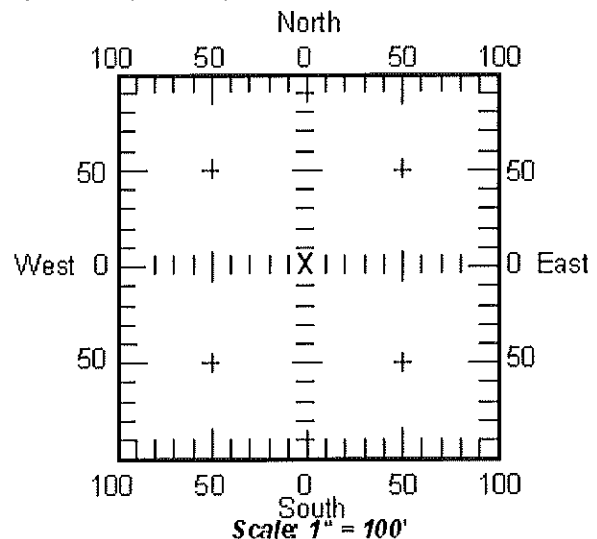
For Office Use Only: Code \_\_\_\_\_ Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 9/22/16 Check # 55281

5. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ nc \_\_\_\_\_ Quarter of the \_\_\_\_\_ se \_\_\_\_\_ Quarter  
 of Section 5, Township 27 South, Range 36 W,  
 in Grant County, Kansas, 1255 feet North 1320 feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. 3 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 \_\_\_\_\_ ne \_\_\_\_\_ Quarter of the \_\_\_\_\_ ne \_\_\_\_\_ Quarter of the \_\_\_\_\_ se \_\_\_\_\_ Quarter  
 of Section 5, Township 27 South, Range 36 W,  
 in Grant County, Kansas, 2571 feet North 243 feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) 530  
 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:  
**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 needs to be replaced.

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.)



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

9. When do you propose to complete the new point of diversion?  
Late 2016

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? 2016

11. Groundwater Management District recommendation attached?  Yes  No

12. Assisted by tpm

13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 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.

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).

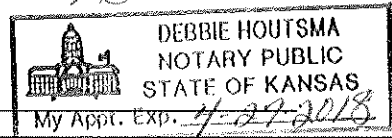
I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regard to the water right(s) to which this application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

Dated at SKANSWE, Kansas, this 19 day of September, 2016.

<u>X</u> <u>[Signature]</u> (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)

State of Kansas }  
County of Hamilton } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 19 day of September, 2016.



[Signature]  
Notary Public

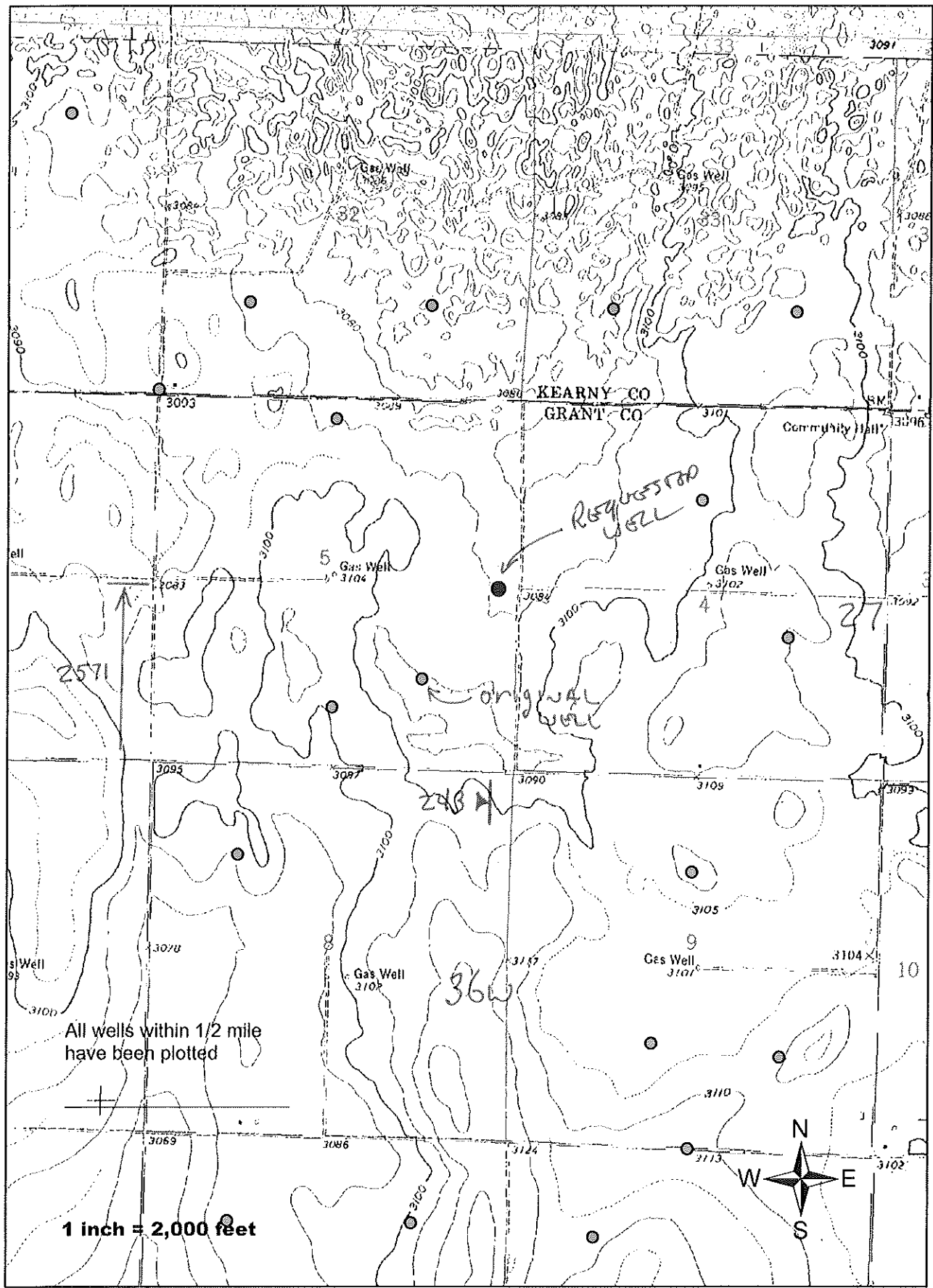
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate 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





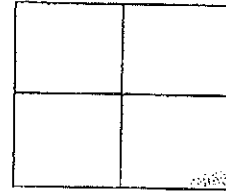




To Tom Downey



QUOTE THIS



This Log.

Customer's Name: Syracuse Dairy Driller's Name: Sheldon Date: 10-14-15

Customer Address: Test: #2 County: Grant

Quarter: SE Section: 5 Township: 27 Range: 36 W/O #: 199

Location: GPS N 37.72876 W 101.27282

SWL 29D

NW Corner 200-300

Footage Description of Strata

%	From	Pay	To	Description of Strata	Static water level : Proposed well Depth:
	0		2	TOP SOILD SAND	
	2		62	BROWN SANDY CLAY AND FINE SAND	
	62		80	SAND FINE TO MED COARSE SMALL TO MED GRAVEL	
	87		110	SAND FINE TO MED COARSE SAMALL GRAVEL WITH SOME CLAY STRINGERS	
	110		160	CLAY- STICKEY	
	160		185	SAND FINE WITH SOME CLAY STRINGERS	
	185		206	BROWN CLAY	
	206		210	SAND FINE TOO MED COARSE	
	210		221	BROWN SANDY CLAY	
25	221	23	223	SAND FINE TO MED COARSE SMALL TO MED GRAVEL	
	323		327	CLAY BROWN SAND	
25	327	28	355	SAND FINE TO MED COARSE SMALL TO LG GRAVEL DRILLED TAGGED	
5	355	11	366	SAND FINE TO MED WITH SOME CLAY	
10	366	155	521	SAND FINE USED WATER	
	521		530	SHALE	
		21			

Supplies used: 1 GEL

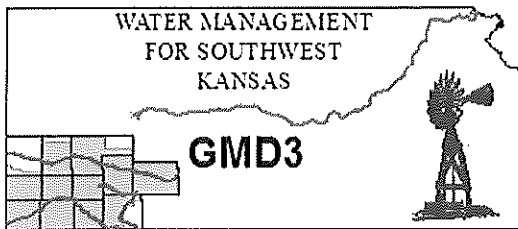
1 PERM PLUG

5 HOLE PLUG

1 SET 4-3/4 DRAG BLADES

20951





**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

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September 27, 2016

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

RECEIVED

SEP 27 2016

Garden City Field Office  
Division of Water Resources

RE: Application for Change in Point of Diversion  
Water Right, File No. 20,951

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 and well spacing is in accordance with K.A.R. 5-23-3. 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





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  
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[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

September 27, 2016

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

Re: Water Right file number 20951

Dear Mr. Norquest;

Syracuse Dairy has applied to relocate the well authorized by the above water right number. There are no 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;

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

Thomas P Makens

TPM:tpm  
enc

