



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

May 26, 2017

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

Re: Water Right file number 21341

Dear Mr. Norquest;

Richard Geven 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 "T. P. Makens".

Thomas P Makens

TPM:tpm  
enc

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. 21341

RECEIVED  
 9:01 A.M.  
 MAY 23 2017

Garden City 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: SOUTHWEST PLAINS DAIRY LLC

12701 SW CR 32 SYRACUSE KS 67878-7816

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

Name and address of Water Use Correspondent: SOUTHWEST PLAINS DAIRY LLC

12701 SW CR 32 SYRACUSE KS 67878-7816

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

3. The presently authorized place of use is:

Owner of Land ---- NAME: R C GEVEN FARMS LLC

ADDRESS: 12701 SW CR 32 SYRACUSE KS 67878-7816

(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 \$ 200.00 TR # \_\_\_\_\_ Receipt Date 5-23-17 Check # 001971**

5. **Presently authorized point of diversion:**  
 One in the sw Quarter of the sw Quarter of the se Quarter of Section 1, Township 26 South, Range 43 W, in Hamilton County, Kansas, 100 feet North 2580 feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. 2 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 sw Quarter of the sw Quarter of the ne Quarter of Section 12, Township 26 South, Range 43 W, in Hamilton County, Kansas, 2990 feet North 2598 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:  
**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 \_\_\_\_\_

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

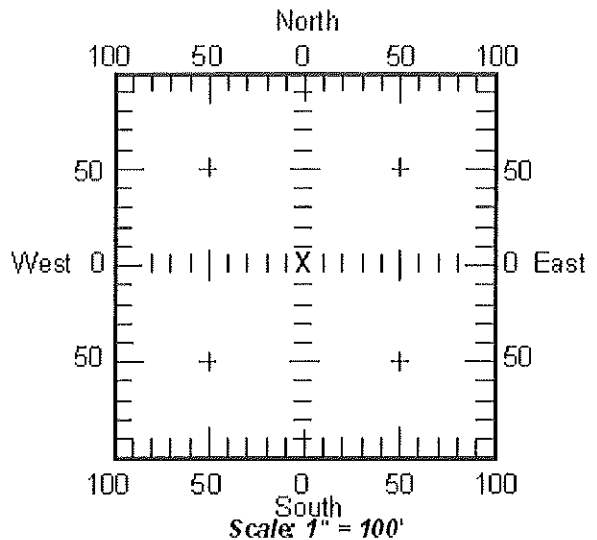
9. When do you propose to complete the new point of diversion?  
June 15, 2017

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? 2017

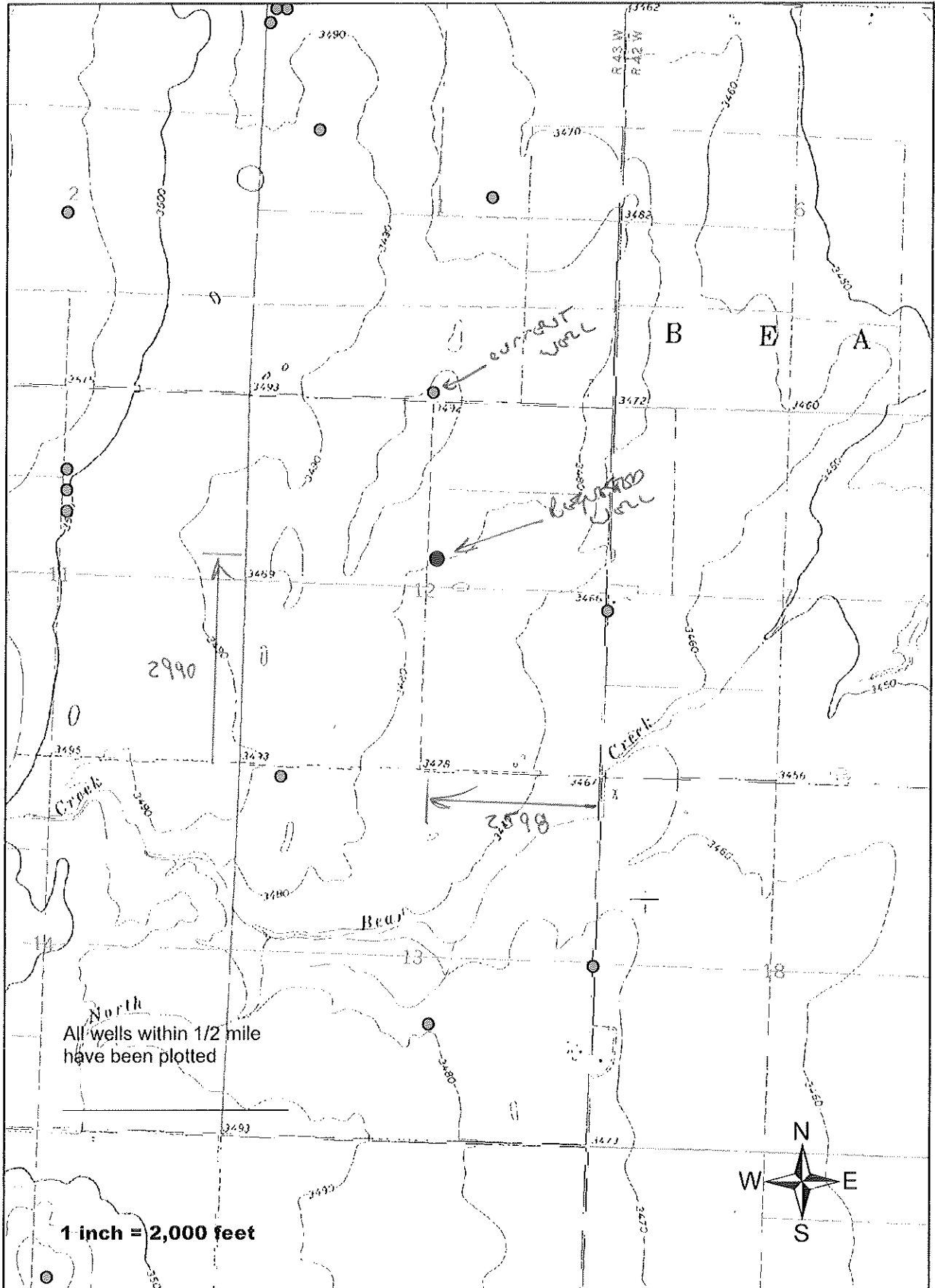
11. Groundwater Management District recommendation attached?  Yes  No

12. Assisted by tpm

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 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.



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



Richard Caven - 620-214-1446  
**Hydro**  
TECHNOLOGY

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

Customer Name: SW Plows Dairy WO#: 11774 Date: 4/27/12  
Street Address: HC 1 Box 14 Test #: 5 E LOG: \_\_\_\_\_  
City, State: Swanton, KS 67878 Driller: Dawn Krizel  
County: HM Quarter: NE Section: 12 Township: 26 Range: 43  
Location: \_\_\_\_\_ GPS: 37.804720N 101.969720W  
Rig #: 10001 Elevation: 3416 Static WL: 340 Estimated? Yes  
Proposed Well Depth 743'

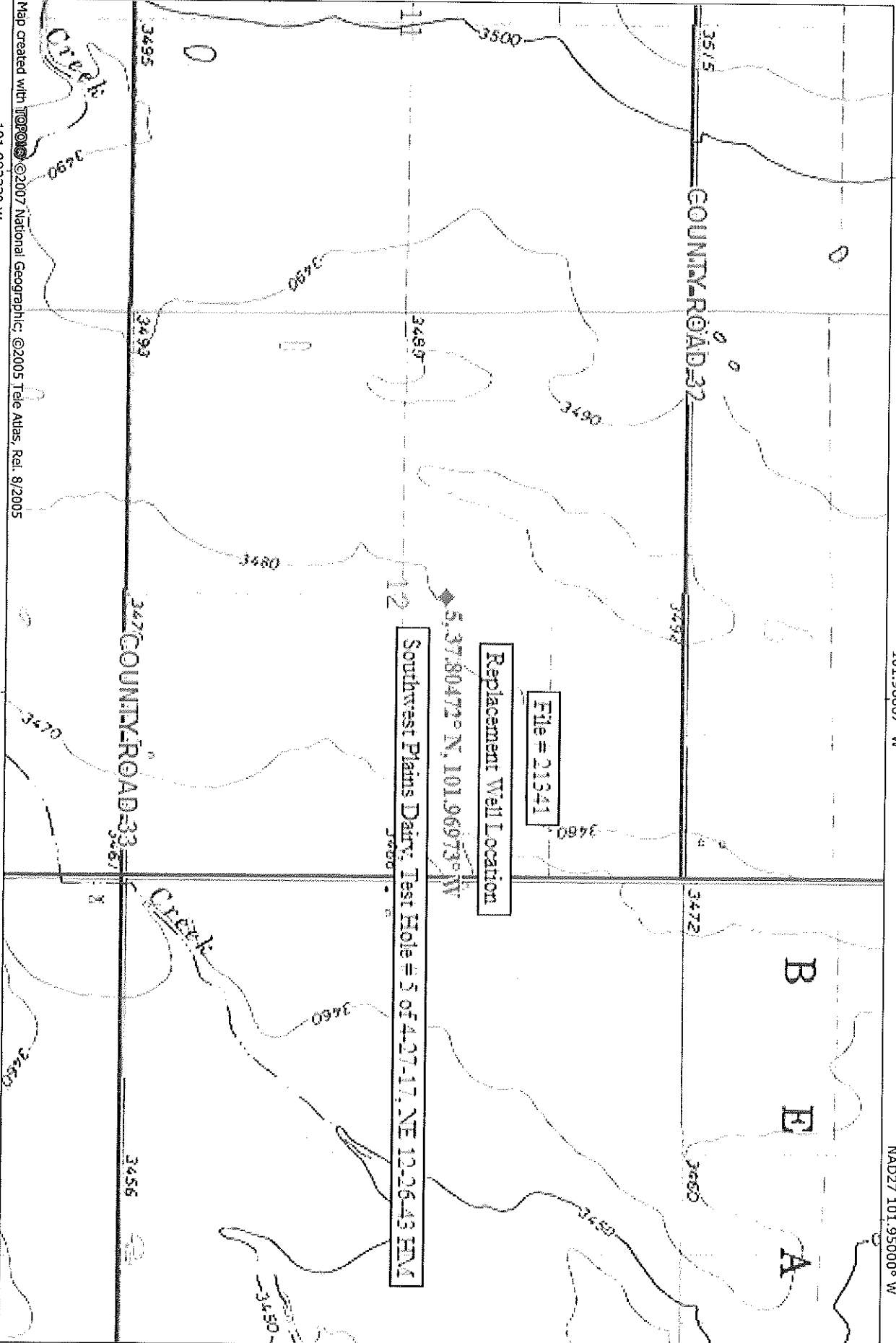
%	Footage			Description of Strata
	From	Pay	To	
	0		2	Sandstone
	2		20	Brown Clay, calciferous fine sand
	20		54	Brown Clay (from 1. Sticky)
	54		60	Sand fine to med
	60		80	Brown Clay
	80		107	Sand fine to med, few clay
	107		204	Brown Clay, some sand, few limestone
	204		230	Sand, fine to med, coarse, few clay, few ledges
	230		239	Sandstone limestone
	239		270	Shale, lime stone (HARD)
	270		306	Sandstone limestone, sandstone (HARD)
	306		333	Gray sandstone fine limestone, few shale
	333		335	Limestone (Extremely HARD) bit top
	335		362	Gray Sandstone + limestone (HARD)
5%	362	19	381	Sandstone, sandstone (Consolidated)
10%	381	13	394	Sandstone (fairly loose)
	394		401	Shale limestone
	401		418	Gray Sandstone limestone, fine sandstone
	418		467	Shale limestone (50% of @ 446 mix brown) few sandstone
5%	467	13	480	Shale sandstone (HARD)
5%	480	76	556	Sandstone, Sandstone (VERY HARD) bit top
	556		560	Red Shale, limestone
10%	560	60	620	Sandstone (Slightly consolidated) few sandstone (used a little water)
10%	620	25	645	Sandstone (fairly loose) some sandstone (used a little water)
15%	645	25	670	Sandstone (Red) (loose)
10%	670	35	705	Sandstone (Red) (Slightly Consolidated use a little water)
10%	705	33	738	Sandstone (Red) (tight) some sandstone
	738		759	Red limestone, fine sandstone
	759		770	Red Bed
				- TEST Rig -
				- Set up Smith
				- Pit to level
				7 - Super Gel X
				5 - Grout
				7 - Barium Chloride
				1 - Perme Plug
				3 - Brine
				3 - 4 3/4 clay block
				2134

101.98333° W

TOPO! map printed on 05/11/17 from "Untitled.tpo"

101.96667° W

NAD27 101.95000° W



37.80000° N

37.80000° N

Map created with ©2007 National Geographic; ©2005 Tale Atlas, Rel. 8/2005

101.98333° W

101.96667° W

NAD27 101.95000° W

NATIONAL GEOGRAPHIC



TN 6/2° MN 05/11/17

**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. 21341.

- 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 authorized herein shall not actually be located more than 2640 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 15<sup>th</sup> 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: \_\_\_\_\_  
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)