

Kansas Department of Agriculture
 Division of Water Resources
CHANGE WORKSHEET: PD

1. File Number: 2071	2. Status Change Date: <i>5-26-2023</i>	3. Change Num: C2	4. Field Office: 04	5. GMD: 03
6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 5/12/2023
8a. Applicant(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____		8c. Landowner(s) New to system <input type="checkbox"/>
SYRACUSE DAIRY LLC FRANK MERCURIO PE 751 SE CR 36 SYRACUSE KS 67878		SYRACUSE DAIRY LLC SYRACUSE DAIRY & TIMELINE DAIRY 751 SE CR 36 SYRACUSE, KS 67878-7822		Person ID 40486 Add Seq# 1
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID 5389 Add Seq# _____		8d. WUC New to system <input type="checkbox"/>
VAN LYNN FLOYD REVOCABLE LIVING TRUST 550 E 12 AVE #1708 DENVER CO 80203 (delete)		SYRACUSE DAIRY LLC Attn: FLOYD TRUSTS 751 SE CR 36 SYRACUSE, KS 67878-7822		Person ID 40486 Add Seq# 6
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/23 <input type="checkbox"/> N & P Date to Comply: _____				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input checked="" type="checkbox"/> Water Tube <input checked="" type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter				
<input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: IRR & STK To: DUAL IRR/STK				
Date Prepared: 5/26/2023 By: MAM Date Entered: _____ By: _____				

File No. **2071** 11. County: **ST** Basin: **BEAR CREEK** Stream: **NA** Formation Code: **331** Special Use: **NA**

12. Points of Diversion											Rate and Quantity						
CHK	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm	Quantity AF	Rate gpm	Quantity AF	Overlap PD Files
			ENT		SW SW NW	9	28	40W		2875	5150	DUAL IRR/STK	330	480	330	480	NONE
CHK	61109				SW SW NE	9	28	40W	5	3231	2550	STK	55	27.370 MGY	5527.370 MGY	NONE	

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: **415.7** af/yr at _____ gpm (_____ cfs) when combined with file number(s) **DUAL IRR /STK (135.456 MGY)USE ID 1**
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
CHK	37546																								
CHK	38854																								
CHK	15630																								

Year: _____ Minimum Reasonable Quantity: _____ Comments: _____
POP UP TEMPORARY IRR QUANTITY REDUCTION QUANTITY LIMITED TO 415. AS LONG AS STOCKWATERING USE IS DESIRED

Garden City Field Office
4532 W. Jones, Suite B
Garden City, KS 67846



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

Mike Beam, Secretary

Laura Kelly, Governor

May 26, 2023

SYRACUSE DAIRY LLC
Attn: FLOYD TRUSTS
751 SE CR 36
SYRACUSE, KS 67878-7822

RE: Water Right, File No. 2071

Dear Sir:

Enclosed is the order executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number and meet current specifications. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

Since the order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

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

Sincerely,

A handwritten signature in blue ink that reads "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM:
enclosures

pc: GROUNDWATER MANAGEMENT DISTRICT NO. 3


CERTIFICATE OF SERVICE

On this 26th day of May 2023 I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 2,071 dated 26th day of May 2023 was mailed postage prepaid, first class, US mail to the following:

SYRACUSE DAIRY LLC
Attn: FLOYD TRUSTS
751 SE CR 36
SYRACUSE, KS 67878-7822

Pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3



Division of Water Resources Staff

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
 4:45 pm
 MAY 12 2023

File No. 2,071

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

Phone Number: (785) 820-6093

Email address: frank@syracusedairy.com

Name and address of Water Use Correspondent: Syracuse Dairy, LLC

751 SE CR 36, Syracuse, KS 67878

Phone Number: (785) 820-6093

Email address: frank@syracusedairy.com

3. The presently authorized place of use is:

Owner of Land ---- NAME: Syracuse Dairy, LLC

ADDRESS: 751 SE CR 36, Syracuse, KS 67878

(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

Owner of Land ---- NAME: _____

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 \$** 300.00 **TR #** _____ **Receipt Date** 5-12-23 **Check #** 91065

5. **Presently authorized point of diversion:**
 One in the SW Quarter of the SW Quarter of the NE Quarter of Section 09, Township 28 South, Range 40 W, in Stanton County, Kansas, 2875 feet North 2550 feet West of Southeast corner of section. Authorized Rate 330 gpm Authorized Quantity 415.7 AF Depth of well 72620 (feet)
(DWR use only: Computer ID No. 1 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 SW Quarter of the SW Quarter of the NW Quarter of Section 09, Township 28 South, Range 40 W, in Stanton County, Kansas, 2875 feet North 5150 feet West of Southeast corner of section. Proposed Rate No Change Proposed Quantity No Change Proposed well depth (feet) 640.
 This point is: Additional Well Geo Center List other water rights that will use this point None

6. **Presently authorized point of diversion:**
 One in the SW Quarter of the SW Quarter of the NE Quarter of Section 09, Township 28 South, Range 40 W, in Stanton County, Kansas, 3231 feet North 2550 feet West of Southeast corner of section. Authorized Rate 55 gpm Authorized Quantity 84 AF Depth of well _____ (feet)
(DWR use only: Computer ID No. 5 GPS 3002 feet North 2545 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) Need to move well to accommodate expansion of the feedlot, Floyd Feedyard.

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

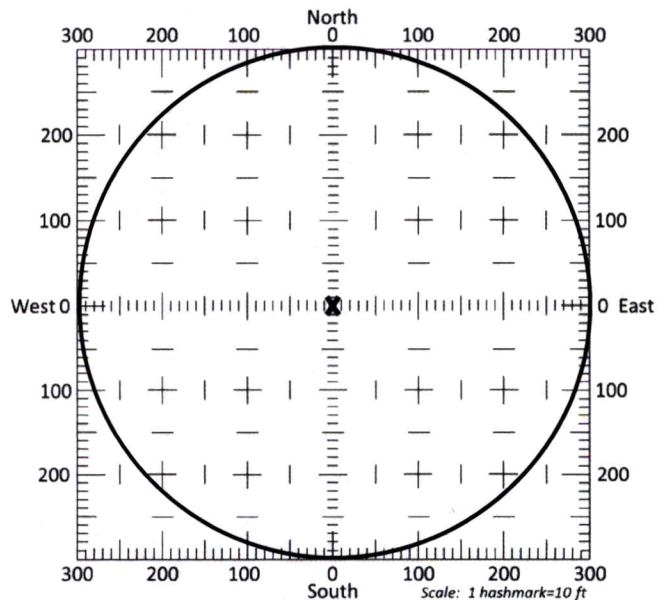
9. The change(s) (was)(will) be completed by?
July 1, 2023

10. If the point of diversion is a well:
(a) What are you going to do with the old well?
Cap and make inoperable.
(b) When will this be done? Upon completion of new well.

11. Groundwater Management District recommendation attached? 2071 Yes No

12. Assisted by CI, GCFO

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 a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. **(PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)**

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 Syracuse, Kansas, this 12th day of May, 2023.

[Signature]

 (Owner)
Ross Geubelle, Member

 (Please Print)
Syracuse Dairy, LLC

 (Owner)

 (Please Print)

 (Owner)

 (Please Print)

 (Spouse)

 (Please Print)

 (Spouse)

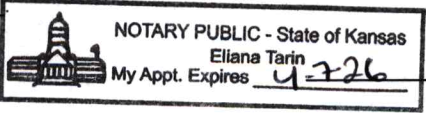
 (Please Print)

 (Spouse)

 (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 12th day of May, 2023.



[Signature]
Notary Public

My Commission Expires 4-7-26.

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

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. 2,071

1. A change application was received on May 13, 2023 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 2640 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, 2023**, 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, 2023**, or within any authorized extension of time. By March 1, 2023 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.

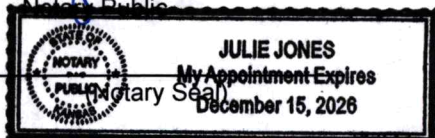
Administrative Appeal and Effective Date of Order

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

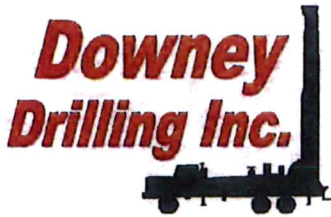
FOR OFFICE USE ONLY
**APPLICATION APPROVED AND
SUMMARY ORDER ISSUED**

By: Michael A. Meyer
Duly Authorized Designee of the Chief Engineer
(Print Name): MICHAEL A. MEYER
Division of Water Resources - Kansas Department of Agriculture
Date of Issuance: May 26, 2023
State of Kansas)
County of Stimney) SS
Acknowledged before me on May 26, 2023
by Michael A. Meyer
Signature: Julie Jones

My commission expires: _____


WELL LOG

DATE: 2/6/2023



CUSTOMER NAME: SYRACUSE DAIRY TH #2

LEGAL: SW/NW 9-28S-40W WR #2071

COUNTY: STANTON *SW CORNER*

GPS: 37.628341

101.707891

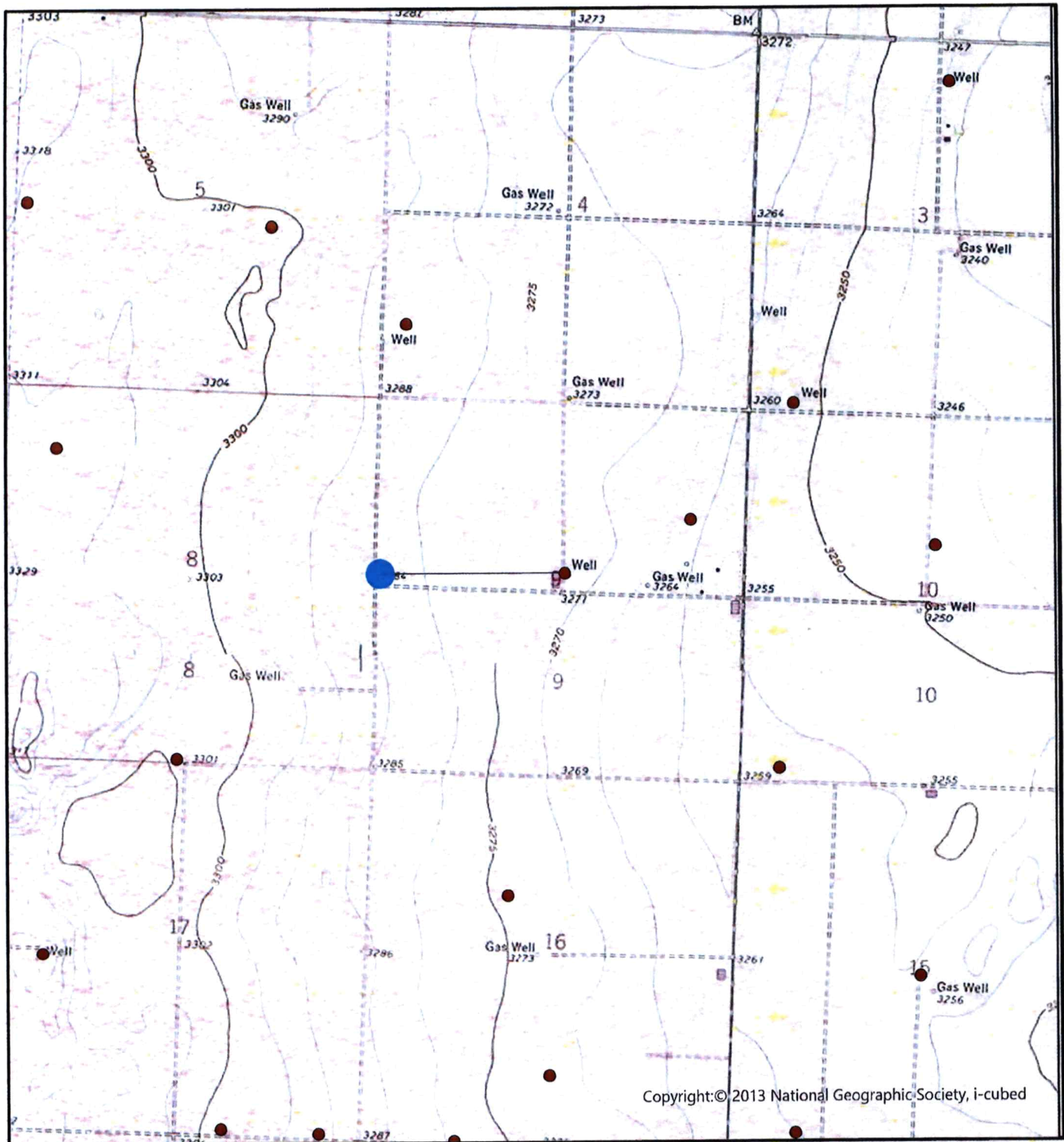
DRILLER: RYAN DOWNEY

WO: 22-1934

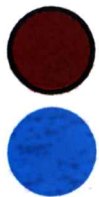
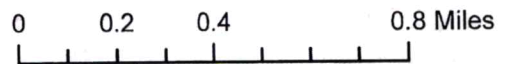
TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	2	TOP SOIL / SILT	SOFT	BR	SLOW	NO	SMOOTH
	2	25	CLAY	SOFT	REDDISH	SLOW	NO	SMOOTH
	25	76	CLAY FW SAND STREAKS	SOFT	LT BR	SLOW	NO	SMOOTH
	76	90	FINE-MED-COARSE SAND	SOFT	LT BR	FAST	NO	SLIGHT
	90	95	FINE-MED-COARSE SAND CLAY LAYERS	SOFT	LT BR	FAST	NO	SLIGHT
	95	102	CLAY	SOFT	LT BR	SLOW	NO	SMOOTH
	102	114	SANDY CLAY FINE-MED-COARSE SAND	SOFT	LT BR	FAST	NO	SLIGHT
	114	125	FINE-MED-COARSE SAND	SOFT	LT BR	FAST	NO	CHATTER
	125	137	SANDY CLAY FINE-MED-COARSE SAND	SOFT	LT BR	FAST	NO	SLIGHT
	137	160	FINE-MED-COARSE SAND	SOFT	LT BR	FAST	NO	CHATTER
	160	174	CLAY	SOFT	LT BR	SLOW	NO	SMOOTH
	174	180	FINE-MED-COARSE SAND SANDY-CLAY STRINGER	SOFT	LT BR	FAST	NO	CHATTER
	180	200	FINE-MED-COARSE SAND CEMENTED LEDGES & SANDY-CLAY	SOFT	LT BR	FAST	NO	CHATTER
	200	212	FINE-MED-COARSE SAND	SOFT	LT BR	FAST	NO	CHATTER
	212	220	CLAY MAG FINE-MED SAND	SOFT	LT BR	SLOW	NO	CHOPPY @ TIMES
	220	245	CLAY FINE-SAND	SOFT	LT BR	SLOW	NO	SMOOTH
	245	274	CLAY FINE-MED-COARSE SAND	SOFT	LT BR	FAST	NO	SLIGHT
	274	300	FINE-MED-COARSE SAND	SOFT	LT BR	FAST	NO	CHATTER
X	300	320	BR ROCK ? WEATHERED SHALE	FIRM	GOLD/GRAY	SLOW	NO	CHOPPY @ TIMES
X	320	348	? WEATHERED SHALE BR SS LAYERS	FIRM	GOLD/BR	SLOW	NO	IN & OUT
	348	355	SHALE LIMESTONE LEDGES	FIRM	DRK	SLOW	NO	SMOOTH
	355	360	LIMESTONE	HARD	WHITE	SLOW	X	CHOPPY
	360	418	FINE-SAND & LIMESTONE LAYERS, TR. SHALE LENSES	FIRM	DRK	SLOW	NO	SLIGHT-SMOOTH
	418	440	? SHALE	SOFT	DRK	FAST	NO	CHATTER
	440	456	SHALE	FIRM	DRK	SLOW	NO	SLIGHT-SMOOTH
X	456	622	SAND LIMESTONE TOOK A BIG DRINK SOAPSTONE	SOFT	LT GRAY	FAST	NO	CHOPPY
X	622	640	RED BED	FIRM	RED	SLOW	NO	SMOOTH
			TOOK H2O @ 456', 530'					
			QG - 10					
			QT LV -					
			BRAN - 6					
			8,000 GALLONS OF H2O					

*Approx
STATIC*

WR 2071 Change in Point of Diversion



Copyright: © 2013 National Geographic Society, i-cubed



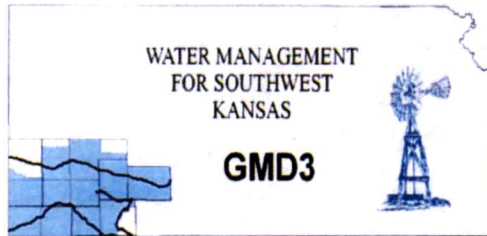
Existing Well
Proposed Well

All Wells within 1/2 mile are shown.

X *Key* *5/12/23*



Created By: CI/GCFO



Southwest Kansas
Groundwater Management District No. 3
2009 E. Spruce Street
Garden City, Kansas 67846
(620) 275-7147 phone
www.gmd3.org

May 25, 2023

Michael A. Meyer
Division of Water Resources
4532 W Jones Ave., Suite B
Garden City, Kansas 67846

RE: Application for Change in Point of Diversion
Water Right, File Nos. 2071

Dear Mike:

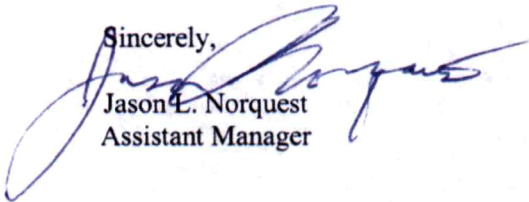
We have completed a review of the applications for the above referenced water rights. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to minimum spacing to neighboring wells and distance moved.

Well evaluations were conducted to estimate possible effects of the proposal on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b, and the management program. Under K.S.A. 82a-708b, an applicant requesting a change in point of diversion must demonstrate to the chief engineer that any proposed change is reasonable and will not impair. The enclosed report is an analysis performed by the GMD on behalf of our membership. Under this analysis, the proposed change is considered to be reasonable and unlikely to impair if either the net in-season well-to-well effect of the proposed change is less than a strict maximum allowable threshold (4.0 ft with saturated thickness is greater than 200ft), or if no well with a net well-to-well effect exceeding the threshold is identified as critical. Critical wells are identified as wells that are expected to either lose or greatly diminish water supply over the next 25 years. The attached review information is based on a Theis analysis using inputs from the GMD3 aquifer model, which is considered to be the best information on well and aquifer data readily and easily available to the public. If either the applicant or the neighbors believe they have better data that might change the result of the analysis, they should contact GMD3. Conclusions of the well analysis may change if better information on well and aquifer data can be made available.

Every neighboring well within 1 mile of the proposed move was evaluated. Evaluations showed that some of the neighboring wells exceeded the net effect above the maximum allowable threshold and needed further evaluation. Critical wells were determined possible in the area if the proposed well pumped at full authority. Part of the effects can also be attributed to the fact that the water right being moved has reported minimal pumping the last several years. We did not receive any comments from neighboring well owners. Therefore, GMD3 sees these moves as meeting current rules and would recommend approval with better information given to ensure that neighboring wells are not adversely affected. If aquifer conditions change or there is a change to the water right in the future, we would be happy to evaluate the effects at that 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 E. Norquest
Assistant Manager

GMD3 Change Review

File No(s): 2071. DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: Syracuse Dairy LLC.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? .

If NO, is documentation included?

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

Point of diversion ID No(s) 01 being changed.

	ft. North	ft. West	
Authorized PD	2875	2550	Sect 9-28-40
Proposed PD	2875	5150	
Difference	0	-2600 w	
a2 + b2 = c2	0	6760000	2600 foot move west

GPS for proposed PD: Lat: 37.628341 Long: -101.707891.

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified: .

Name M&G Farms %Martie & Gary Floyd (9527, 26724).

Address 6190 N Road G.

Zip Johnson, KS 67855.

Email: venture@pld.com Phone: 620-492-6610.

Name J Frances Grover (12157).

Address PO Box 191.

Zip Johnson, KS 67855.

Email: rfgrover@pld.com Phone: 620-492-2167.

Name Classic Farms LLC (22910).

Address 6190 N Road G.

Zip Johnson, KS 67855.

Email: venture@pld.com Phone: 620-492-6610.

Name Prairie Wind Heifer Development LLC % TJ McClure (22950).

Address 4652 N RD L.

Zip Johnson, KS 67855.

Email: tjmcclure@prairiewindheifer.com Phone: 620-277-5404.

Domestic well(s) notified: .

Name .

Address .

GMD3 Change Review

Zip ____.

Base Acres: ____.

Perfected Acres: ____.

Irr. Return-Flow ____%

Stanton County

This well is currently a dual use IRR/STK well. Approved in 2022

Authorized 415.68AF @330gpm for the dual use portion

Also: 84AF@55gpm for the STK

Combined would be 499.7AF/year.

Move needed to relocate the well due to lot expansion.

It appears that there has not been IRR use since 2012.

Doesn't look like any STK use from this PD either.

Is a waiver needed: Move is less than half mile. Minimum spacing to neighboring wells appears to be met. Analysis shows possible critical wells in the area. Main effects from this well not having much reported use in recent years.

Recommendation: After review of all information, it appears current area rules are met. Staff would recommend approval of the applications with verification from DWR that possible affects appear within reason on neighboring wells.



Water Rights and Points of Diversion Within 1 mile of point defined as:

2875 Feet N and 5150 Feet W of the Southeast Corner of Section 9 Twp 28S Rng 40W
 Located at: 101.707715 West Longitude and 37.628579 North Latitude
 Both SURFACE WATER and GROUNDWATER

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	
A__ AF	2071 00	IRR	NK	G*	2611	--	SW	SW	NE	2875	2550	9	28	40W	1	210	480.00	480.00
A__ AF	2071 00	STK	NK	G*	2611	--	SW	SW	NE	2875	2550	9	28	40W	1		84.00	84.00
Same					2635	--	SW	SW	NE	3231	2550	9	28	40W	15			
A__ AF	7389 00	IRR	NK	G	3242	--	NW	SW	SW	811	5169	4	28	40W	4	230	640.00	640.00
A__ AF	9527 00	IRR	NK	G	5089	--	NE	NW	SE	2310	1650	5	28	40W	1	230	960.00	960.00
A__ AF	12157 00	IRR	NK	G	4985	--	NE	SE	NW	3580	3230	16	28	40W	2		386.00	386.00
A__ AF	22910 00	IRR	NK	G	4040	--	SE	SE	SW	50	2750	8	28	40W	2	230	534.00	83.00
A__ AF	22950 00	IRR	NK	G	5081	--	SW	NW	NW	4350	4750	8	28	40W	1		436.00	436.00
A__ AF	26724 00	IRR	NK	G	5089	--	NE	NW	SE	2310	1650	5	28	40W	1		40.00	.00
A__ AF	38606 00	STK	NK	G	4502	--	NW	SE	NE	3650	700	9	28	40W	3		25.01	25.01
P__20210267 AF	00	STK	GY	G	2635	--	SW	SW	NE	3231	2550	9	28	40W	5		12.28	12.28

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	12.28	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	3094.01	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	3106.28	.00

*Minimum Spacing
Appears MS*

An * after the source of supply indicates a pending application for change under the file number.
 An * after the ID indicates a 15 AF exemption was granted under 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 mile of point defined as:

2875 Feet North and 5150 Feet West of the Southeast Corner of Section 9 Twp 28S Rng 40W
 Located at: 101.707715 West Longitude and 37.628579 North Latitude
 Both SURFACE WATER and GROUNDWATER
 WATER USE CORRESPONDENTS:

File Number Use ST SR

- > SYRACUSE DAIRY LLC
- > FLOYD TRUSTS
- > 751 SE CR 36
- > SYRACUSE KS 67878

2071 IRR

- > SYRACUSE DAIRY LLC
- > FLOYD TRUSTS
- > 751 SE CR 36
- > SYRACUSE KS 67878

2071 STK

- > SYRACUSE DAIRY LLC
- > FLOYD TRUSTS

7389

> 751 SE CR 36
> SYRACUSE KS 67878

> M & G FARMS
> MARTIE FLOYD & GARY FLOYD
> 6190 N ROAD G
> JOHNSON KS 67855

9527

> J FRANCES GROVER

> PO BOX 191
> JOHNSON KS 67855

12157

> CLASSIC FARMS LLC

> 6190 N ROAD G
> JOHNSON KS 67855

22910

> PRAIRIE WIND HEIFER DEVELOPMENT LLC

> T J MCCLURE
> 4652 N RD L
> JOHNSON KS 67855

22950

> M & G FARMS
> MARTIE FLOYD & GARY FLOYD

> 6190 N ROAD G
> JOHNSON KS 67855

26724

> SYRACUSE DAIRY LLC

> FLOYD TRUSTS
> 751 SE CR 36
> SYRACUSE KS 67878

38806

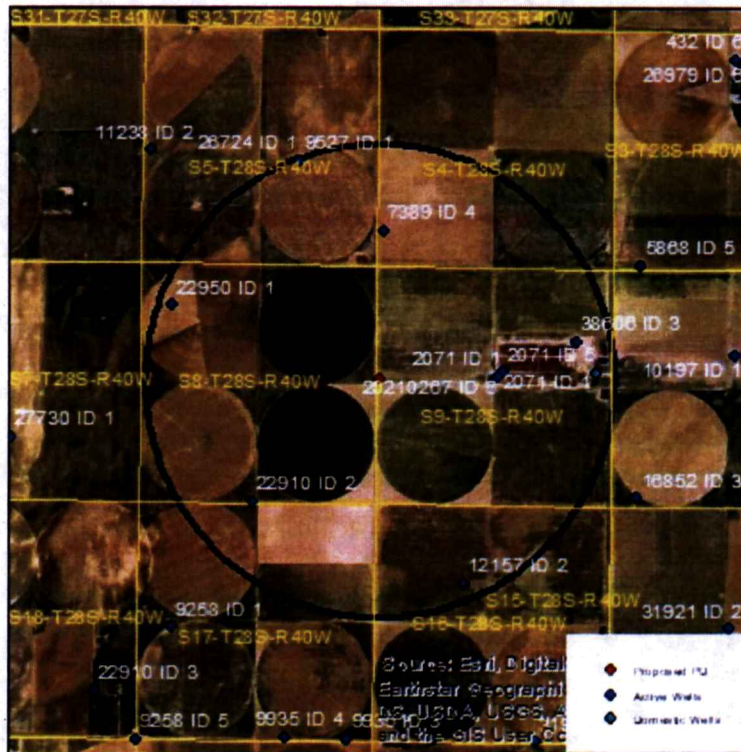
> SYRACUSE DAIRY LLC

> FLOYD TRUSTS
> 751 SE CR 36
> SYRACUSE KS 67878

2021 0067

Evaluation of proposed move for Water Right No. 2071

Proposed: Move water right no. 2071 to a new well location, 2,600 ft to the southwest.



Wells within 1 mile: 9527 & 26724, 7389, 22950, 22910, 38606, 12157, and a domestic well in section 9-28-40.

The saturated thickness at the proposed well location is estimated to be 335 ft, based upon the driller’s log and an observation well in section 8-28-40. This saturated thickness was used for all wells, though some wells may not be drilled that deep and there is some uncertainty as to the reasonableness of assuming they should. The saturated thickness at the domestic well is 64 ft, which was the value used for that well. For saturated thickness greater than 200 ft, the drawdown allowance is 4.0 ft.

50 year Theis Analysis: The following values were used to run the analysis:

$S = 0.1473$, $T = 1,070 \text{ ft}^2/\text{day}$, $t_{p\text{current}} = 0 \text{ days}$, $Q_{\text{current}} = 0 \text{ gpm}$, $t_{p\text{proposed}} = 294 \text{ days}$, $Q_{\text{proposed}} = 385 \text{ gpm}$

Theis drawdowns were calculated as follows:

- 9527 & 26724: Net drawdown = **10.9 ft**
- 7389: Net drawdown = **14.8 ft**
- 22950: Net drawdown = **11.3 ft**
- 22910: Net drawdown = **13.3 ft**
- 38606: Net drawdown = **12.1 ft**

12157: Net drawdown = 11.3 ft

Domestic 9-28-40: Net drawdown = 11.4 ft

Net drawdown exceeds the drawdown allowance for all wells within 1 mile of the proposed location. Critical well analysis is necessary on those wells.

Critical Well Evaluation:

9527 & 26724:

Water Column = 335 ft

DP = 10.9 ft (Net drawdown from the proposal indicated above)

DE = 17.7 ft (Water level decline from 2023 through 2048 based upon GMD3 model)

DD = 195.4 ft (S = 0.1473, T = 1070 ft²/day, Q = 640 gpm, tp = 189 days, efficiency = 70%)

DT = 224 ft

Economic Drawdown Constraint (EDC) = 0.4 * 335 ft = 134 ft

Physical Drawdown Constraint (PDC) = 335 ft – 60 ft = 275 ft

Total drawdown of 224 ft is greater than the EDC, so this well is **critical**.

7389:

Water Column = 335 ft

DP = 14.8 ft (Net drawdown from the proposal indicated above)

DE = 16.8 ft (Water level decline from 2023 through 2048 based upon GMD3 model)

DD = 0 ft (well has not been operated in last ten years)

DT = 31.6 ft

Economic Drawdown Constraint (EDC) = 0.4 * 335 ft = 134 ft

Physical Drawdown Constraint (PDC) = 335 ft – 60 ft = 275 ft

Total drawdown of 31.6 ft does not exceed the EDC or the PDC, so this well is **not critical**.

22950:

Water Column = 335 ft

DP = 11.3 ft (Net drawdown from the proposal indicated above)

DE = 12.6 ft (Water level decline from 2023 through 2048 based upon GMD3 model)

DD = 42.3 ft ($S = 0.1632$, $T = 911 \text{ ft}^2/\text{day}$, $Q = 121 \text{ gpm}$, $tp = 165 \text{ days}$, efficiency = 70%)

DT = 66.2 ft

Economic Drawdown Constraint (EDC) = $0.4 * 335 \text{ ft} = 134 \text{ ft}$

Physical Drawdown Constraint (PDC) = $335 \text{ ft} - 60 \text{ ft} = 275 \text{ ft}$

Total drawdown of 66.2 ft does not exceed the EDC or the PDC, so this well is **not critical**.

22910:

Water Column = 335 ft

DP = 13.3 ft (Net drawdown from the proposal indicated above)

DE = 12.6 ft (Water level decline from 2023 through 2048 based upon GMD3 model)

DD = 72.7 ft ($S = 0.1632$, $T = 911 \text{ ft}^2/\text{day}$, $Q = 200 \text{ gpm}$, $tp = 292 \text{ days}$, efficiency = 70%)

DT = 98.6 ft

Economic Drawdown Constraint (EDC) = $0.4 * 335 \text{ ft} = 134 \text{ ft}$

Physical Drawdown Constraint (PDC) = $335 \text{ ft} - 60 \text{ ft} = 275 \text{ ft}$

Total drawdown of 98.6 ft does not exceed the EDC or the PDC, so this well is **not critical**.

38606:

Water Column = 335 ft

DP = 12.1 ft (Net drawdown from the proposal indicated above)

DE = 13.3 ft (Water level decline from 2023 through 2048 based upon GMD3 model)

DD = 3.4 ft ($S = 0.184$, $T = 1357 \text{ ft}^2/\text{day}$, $Q = 14.1 \text{ gpm}$, $tp = 219 \text{ days}$, efficiency = 70%)

DT = 28.8 ft

Economic Drawdown Constraint (EDC) = $0.4 * 335 \text{ ft} = 134 \text{ ft}$

Physical Drawdown Constraint (PDC) = $335 \text{ ft} - 60 \text{ ft} = 275 \text{ ft}$

Total drawdown of 28.8 ft does not exceed the EDC or the PDC, so this well is **not critical**.

12157:

Water Column = 335 ft

DP = 11.3 ft (Net drawdown from the proposal indicated above)

DE = 14.2 ft (Water level decline from 2023 through 2048 based upon GMD3 model)

DD = 0 ft (well has not been operated in last ten years)

DT = 25.5 ft

Economic Drawdown Constraint (EDC) = $0.4 * 335 \text{ ft} = 134 \text{ ft}$

Physical Drawdown Constraint (PDC) = $335 \text{ ft} - 60 \text{ ft} = 275 \text{ ft}$

Total drawdown of 25.5 ft does not exceed the EDC or the PDC, so this well is **not critical**.

Domestic 9-28-40:

Water Column = 64 ft

DP = 11.4 ft (Net drawdown from the proposal indicated above)

DE = 13.3 ft (Water level decline from 2022 through 2047 based upon GMD3 model)

DT = 24.7 ft

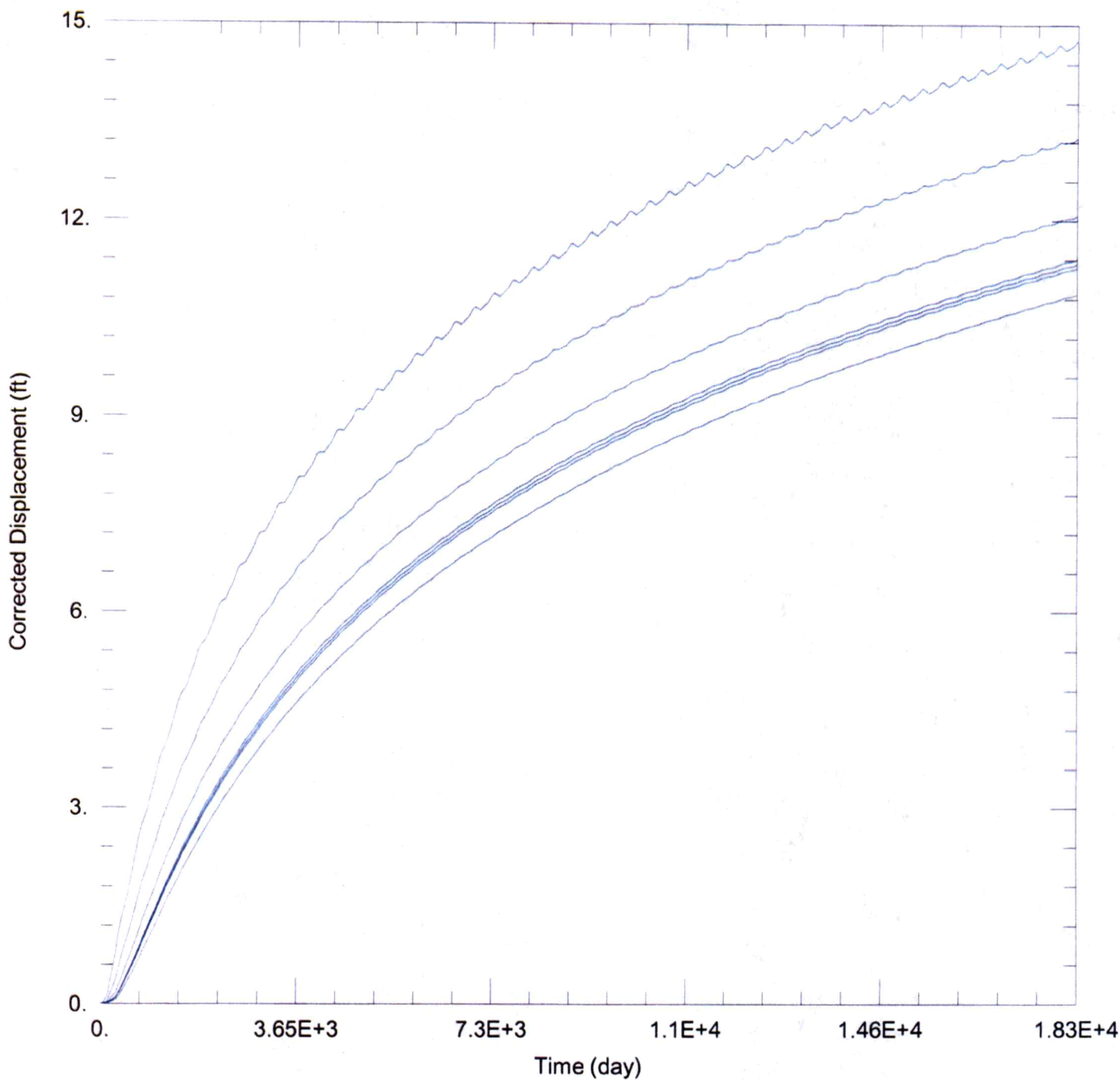
Economic Drawdown Constraint (EDC) = $0.4 * 64 \text{ ft} = 25.6 \text{ ft}$

Physical Drawdown Constraint (PDC) = $64 \text{ ft} - 20 \text{ ft} = 44 \text{ ft}$

Total drawdown of 24.7 ft does not exceed the EDC or the PDC, so this well is **not critical**.

Conclusion:

The proposal is to drill a well to a depth of 622 ft. The GMD3 model does not provide information at those depths. The S and T values were calculated using typical values for geologic materials shown in the drillers log. The analysis showed that the well operated under water right nos. 9527 & 26724 is critical. This is largely due to the high average annual use at the well and the low likelihood of the aquifer being able to provide a similar quantity of water into the future. Note that the saturated thickness of 335 ft that was used for neighboring certified wells was based on the assumption that those landowners will drill deep wells to access all available water. The reasonableness of that assumption is uncertain. If the saturated thickness from the model were used, nearly all neighboring wells would be critical. It should also be noted that the well being moved provides no current effect due to not being operated in the last ten years. Concerned neighbors should contact GMD3 at (620) 275-7147 or the Division of Water Resources at (620) 276-2901.



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2023_moves\2071\2071 proposed.aqt
 Date: 05/22/23 Time: 14:03:47

PROJECT INFORMATION

Company: GMD 3
 Project: 2071
 Location: Stanton County

WELL DATA

Pumping Wells			Observation Wells		
Well Name	X (ft)	Y (ft)	Well Name	X (ft)	Y (ft)
2071	-263089	275572	□	-263089	275572

Garden City Field Office
4532 W. Jones, Suite B
Garden City, KS 67846



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

Mike Beam, Secretary

Laura Kelly, Governor

May 15, 2023

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO. 3
2009 E SPRUCE ST
GARDEN CITY KS 67846

Re: Request for Recommendation
Water Right, File No. 2071


Dear Mr. Norquest:

This is to advise you that Syracuse Dairy has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion.

We are delaying action on the change application to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days from the date of this letter.

Thank you and as always feel free to contact this office at any time.

Sincerely,



Michael A. Meyer
Water Commissioner

MAM
Enclosures