Kansas Department of Agriculture Division of Water Resources

APPROVAL OF CHANGE APPLICATION WORKSHEET

1. File No.: 32473	2. Status Change Date:		 4. Field Office: 04 - Garden City GMD: 03 - Southwest Structures File No.: Filing/Priority Date: 10/28/2024 Application Complete Date: 						
3. Package File No(s): 29858	# 7 · · · · · · · · · · · · · · · · · ·	* j. n							
5a. ⊠ Applicant ⊠ Owner ⊠ WU	C Person ID 64581 Add Seq#	5b. Owner Address	☐ WUC Change		Person ID Add Seq#				
NOBLE DAIRY LLC 3705 F ROAD GARDEN CITY, KS 67846					1,				
5c. Owner WUC	Person ID	5d. 🗌 Owner	□ wuc	Pers	son ID				
☐ Address Change	Add Seq#	Address	Change	Add Seq#					
	☐ UMW Reasonable Q: ion/Expiration Date:	7	7. Use of Wate ☑ Groundw UMW: IRF UMW: UMW:		Water				
8. Action Trail	1	3	· ·	7					
9. Special Conditions				· '49	· · · · · · · · · · · · · · · · · · ·				
10. 5YR Allocation Type: Start Year: 5YR Quantity: Base Acres: Comment:									
11. Sand & Gravel Proj ID:	☐ Active ☐ Dredge	☐ IND Evap ☐	Jr Evap ☐	Other Diversion	☐ Rpt on Sr				
12. Waiver Rule ID: New Date Requested: Applies: Rule No.: Rule Type: Rule SubType:									
Comments COMBINE PUSE ID #S 21360 (KEEP); 2	29274 (DELETE) & 32612 (I	DELETE) - ALL SAI	ME OWNER	Processed 10/29/2024 AM	Entered				
				Reviewed					

File No. 324	473	3		13. Co	ounty: FI	Basi	n: AR K	(ANSA	S RIV	ER S	tream:									a.			
Structures F	ile N	lo:		Aquife	er Code:	211 /	331								Speci	ial Use	Area:						
14. Points of D	Diver	sion, Rate	s & Quar	itities										Oty			Rate		Sto	orage Qty	Stora	ge Rate	
PDIV		Qualifier		S	Т	R	ID	'N	'W	Cor	nment (AKA Li	ne)	Aut			Auth	Add	Au				Overlaps
CHK 80774	4			_																			
												7	1										-
									-														
													2							-	4	-	
			1																				
15. Limitatio	nnc	Type:		Quanti	hv:		Rate:			combin	ned with	n file no	o(e).					1					
15. Lillilatio	0110	Type:		Quanti			Rate:				ned with												
16. Metering	a	⊠ Me	terina R	eguire	1	Anti-Re	verse	Require	ed [7 Sea	al Regu	ired	Comp	liance	Date:	12/31/2	025				A k		
17. Place of Use PUSE S T R		R ID	1 500	NE1/4			NW1/4			SW1		V1/4			SE	1/4		Total	Owner(s)	Chg?	Overlaps		
				NE	NW	sw	SE	NE	NW	sw	SE	NE	NW	SW	SE	NE	NW	SW	SE		-		
ENT 21360	14	26S 3	3W 2							P .		34	34	34	34	40	40	40	40	296	5a		**
DEL 29274					4								1										
																			-		-		
																					-		
ľ 	- 100									-													
18. Point of	Div	ersion an	d Place	of Use	Overlap	os						**	00050										
+												++	29858										
#												##											
^												^^											

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

October 29, 2024

NOBLE DAIRY LLC 3705 F ROAD GARDEN CITY, KS 67846

RE:

Filed Office Application for Change

Water Right, File Nos. 29858 and 32473

Dear Sir or Madam:

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 numbers. **Note:** this approval does not allow any single point of diversion to exceed its annual authorized quantity.

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/or 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,

Austin J. McColloch

Assistant Water Commissioner

AM: enclosures

pc:

GMD 3

CERTIFICATE OF SERVICE

On this 29th day of October, 2024, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 29,858 and 32,473 dated 29th day of October, 2024 was mailed postage prepaid, first class, US mail to the following:

NOBLE DAIRY LLC 3705 F ROAD GARDEN CITY, KS 67846

Pc:

GMD 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

DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

http://agriculture.ks.gov/dwr

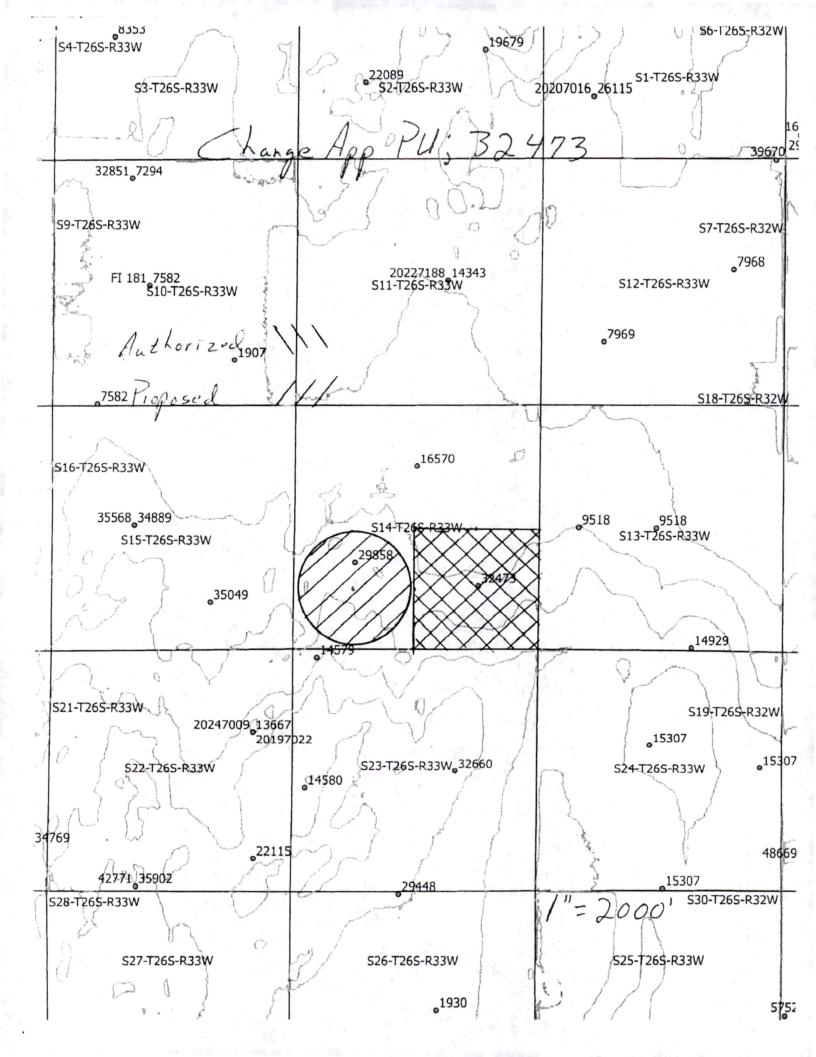
Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended. Fee Schedule is on the third page of this application form.

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

						F	ile No	. 3247	3	V ,-				*				OC	28 2024
F	Application	on is he	reby n	nade fo	or appr	oval o	f the C	hief E	nginee	er to ch	nange	the (ch	eck or	ne or b	oth):			Garder	City Field O
						XX	Place	of Use			Point	of Dive	ersion				D	ivison o	of Water Reso
·	inder the	water	right w	hich is	the si	ubject	of this	applic	ation i	n acco	rdance	e with	the co	ndition	s desc	ribed t	oelow.		
7	he sour	ce of si	upply i	s:		XX	Groun	dwate	r		Surfac	ce wat	er						
		1965		. Vici				_											
	Name ar						airy Li	<u>C</u>			-	-							
-	3705 F F	CT 125 - 100 -	100 m						Email	addre			-	-		-			
	Phone N Name ar					-	onder												
	tuille di	u audit	J35 UI	valer	036 0	onesp	Cildei			35.00									-
F	hone N	umber:	()	75.				Email	addre	ss:		37 6	41		0.1			
	he pres						7					\$ Z		1	Transition of the second			\	
(Owner o	Land -	NA	ME:	Noble	Dairy	LLC	سعلك				121							
			ADDRI	ESS:	3705 F	Road	Gard	len Cit	y, KS	67846	274								
(If there is	more th	an one	landov	vner, at	ach su	ppleme	ental sh	eets as	neces	sary.)		1						
		2		NE	1/4			NW%			SW/4				SE%				TOTAL
eç.	Twp.	Range	NE%	NW%	SW%	SE%	NE%	NW/4	SW%	SE%	NE%	NW%	SW/4	SE14	NE%	NW%	SW%	SE%	ACRES
4	26s	33w	110		*		74,791			57					40.0	40.0	40.0	40.0	160.0
_				18.7									1		0.1				
															L			الــــا	
_		oliootio	ic for	a cha	nao in	nlaco	ofuso	it ic n	ropore	d that	the of	ace of	uso he	chan	and to				
_								, it is p	Tupose	su mai	trie pi	ace or	use De	Clian	ged to				
	f this ap							len Cit	y. KS 6	57846	10. 1								
	owner o		ADDRI	=55:				ental sh	eets as	neces	sary)								
(-				ach su	ppleme		NW%			SW¼				C	TOTAL		
(Owner o	-		landov		ach su	ppieme		V%			SV	V/4			51	1/4		
(Owner o	-		landov	vner, at	se's	NE%			SE%	NE%	NW%		SE¼	NE%	NW¼		SE¼	ACRES
(Owner o	more th	an one	landov	vner, at	7		NV		SE¼	NE% 34.0		SW%	SE1/4	NE% 40.0		SW/4	SE1/4	
(ec	Owner of there is Twp.	more th	an one	landov	vner, at	7		NV		SE%		NW%	SW%			NW¼	SW/4		ACRES

Presently authorize	ed point of	diversion:	Marie J. A.			
One in the	19	Quarter of the	NC	Quarter of the	SE	Quarter
of Section	14	, Township	26	South, Range	33	(W)
in Finney	Cou	inty, Kansas, 1331	feet North	1334 feet West of S	outheast corn	er of section.
Authorized Rate	845gpm	_ Authorized Quantity	-845gpm 32	Depth of well	(fe	et)
(DWR use only: Co	omputer ID	No GI	PS	feet North	feet W	est)
X This point will not	be changed	☐This point will be char	nged as follows: [No change, point better	described with (GPS as follows:
Proposed point of	diversion: (Complete only if chan	ge is requested	or if existing point is	better describ	ed by GPS)
One in the		Quarter of the		Quarter of the		Quarter
of Section		, Township	10-16-2	South, Range		(W)
				feet West of S		
Proposed Rate		_ Proposed Quantity		Proposed well depth (feet)	
This point is: Add	ditional Well	☐ Geo Center List	other water right	s that will use this point		
No. of Contract	5 × 1		San Barrier			
Presently authorize	ed point of	diversion:	7	W 799		
The second secon	A CONTRACTOR OF THE PROPERTY O			Quarter of the		Quarter
				South, Range		
in	Cou	inty, Kansas.	feet North	feet West of S	outheast corn	er of section.
				Depth of well		
				feet North		
				No change, point better de		
				or if existing point is		
	The second secon			Quarter of the		
				South, Range		
				feet West of S		
				Proposed well depth (
				s that will use this point		
This point is Au	altional vven	Geo Center List	other water right	s that will use this point		
The changes herein	are desired	for the following reason	ns?			
(please be specific) N	Make a comp	lete overlap in PU	-	North		
Of current authorized	acres		300	200 100 0	100 200	
						` <u>∃</u>
If a well, is the test ho	ole log attach	ed? Yes No		141+1		
2 Hong to the toot the			200 =	1/4 1 + 1 =	1+1+	200
The change(s) (was)((will be) comp	oleted by?		/ =		\=
As soon as approved			100	1 + 1 + 1 =	1 + 1 +	100
As soon as approved			100	A. T. T. E.		1 100
If the point of diversion	n is a well:		<i>†</i>			
(a) What are you go	ing to do with	the old well?	West 0	մավափակայա ջ ո	րախանտի	0 East
			1		-	4
			100	1 + 1 + 1 =	1 + 1 +	100
(b) When will this be	done?		. 100 [(E		/3
			E	/ -		/=
Groundwater Manage	ement District	recommendation attache	ed? 200 =	A 1 + 1 =	1+1+	200
	s No		E		_ /_	4
			E	in Land	1	<u> </u>
Assisted by GMD3/JL	.N		300	200 100 0	100 200	300
				South	Scale 1 hashm	

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 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



14. If the proposed groundwater point of diversion is 300 or fewer feet	t from the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently at ☐ Yes ☐ No (If no, all owners must sign this ap	uthorized place(s) of use identified in this application? oplication.)
 (b) Will the ownership interest of any owner of the currently aut affected if this application is approved as requested? Yes No (If yes, all owners must sign this a 	thorized place(s) of use identified in this application be adversely application.)
(c) If this application is not approved expeditiously, will there be a Yes No (If no, all owners must sign this approved the No (If no, all owners must sign this approved the No (If no, all owners must sign this approved the No (If no, all owners must sign this approved the No (If no, all owners must sign this approved the No (If no, all owners must sign this approved the No (If no, all owners must sign this approved the No (If no, all owners must sign this approved the No (If no, all owners must sign this approved the No (If no, all owners must sign this approved the No (If no, all owners must sign this approved the No (If no, all owners must sign this approved the No (If no, all owners must sign this approved the No (If no, all owners must sign this approved the No (If no, all owners must sign this approved the No (If no, all owners must sign this approved the No (If no, all owners must sign this approved the No (If no, all owners must sign this approximation the No (If no, all owners must sign this approximation the No (If no, all owners must sign this approximation the No (If no, all owners must sign this approximation the No (If no, all owners must sign the N	
If the application proposes a surface water change in point of diversion or a change in place of use, the application must be signed by all own agent (attach notarized statement authorizing representation).	n, a groundwater change in point of diversion greater than 300 feet, lers of the currently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or affi age and the owner, the spouse of the owner, or a duly auth their behalf, in regards to the water right(s) to which this a contained in this application are true, correct and complete	norized agent of the owner(s) to make this application on application pertains. I further verify that the statements
Dated at Gorden (ty Kansas, ti	his 25 day of October 20 24
16 De Manager	30,75
(Qwner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of Crou	Notary Public - State of Kansas My Appt. Expires 17/22/2027
I hereby certify that the foregoing application was signed i	n my presence and sworn to before me this 25th day
of October, 20 24.	Distair Tim
My Commission Expires 17122/2007	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete accurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.	, all of the applicable portions of the application form must be completed with ne appropriate owners' must be affixed to the application and notarized; and
FEE SCHE	EDULE
Each application to change the place of use or the point of diversion use forth in the schedule below: Make checks payable to: Kansas Depair (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300	under this section shall be accompanied by the application fee set

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	visions of the Kansas Water Appropriation Law, K.S.A. 82a-	8b, as amended, and K.A.R. 5-5-1, et seq. and other applicable 701 et. seq., and rules and regulations promulgated thereunder, a, this Summary Order does not change the terms, conditions and
1.	A change application was received on October 25 diversion authorized under the above-referenced file number	requesting that the place of use and / or point of per be changed as described in the application.
2.	On and after the effective date of this summary order, the aut the topographic map accompanying the application to char	horized place(s) of use shall be located substantially as shown on nige the place of use. Applicable \(\simeg\) Not Applicable
3.	The change in point of diversion shall not impair existing righ previously authorized. The point of diversion authorized b radius of the authorized point(s) of diversion. Applicable	ts and shall be limited to the same source or sources of water as y this summary order shall be located within a foot e Not Applicable
4.	The point(s) of diversion described herein is administrative Positioning System (GPS), as described in the application	ly corrected to be more accurately described using the Global . Applicable Not Applicable
5.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion. ☐ Applicable ☒ No	be located more than feet from the previously of Applicable
6.		rell with a diversion rate of 100 gallons per minute or more, a tube nts shall be installed, operated and maintained in accordance with
7.	December 31, 20 25, or before the first use of water, operated and maintained in accordance with K.A.R. 5-1-4 to	perly install an acceptable water flow meter on or before whichever occurs first. The water flow meter shall be installed through 5-1-12. As required by K.S.A. 82a-732, as amended, and the reading of the water flow meter and the total quantity of watering the end of each calendar year.
8.	Installation of the works for diversion of water shall be authorized extension of time. By March 1, 20 the works for diversion has been completed, on the form providing Applicable Not Applicable	completed on or before December 31, 20 25, or within any applicant shall notify the Chief Engineer that construction of the ded by the Chief Engineer, as required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the requi	red notice. Applicable Not Applicable
10.	with an in-line, automatic, guick-closing check valve capal	oreign substance will be injected into the water shall be equipped ole of preventing pollution of the source of the water supply. The n accordance with K.A.R. 5-3-5c. Applicable Not Applicable
11.	Additional Conditions are attached. Yes No	
12.	water appropriated under the above-referenced file numb limitations, as amended and/or supplemented by this Sum Appropriation Law and the Rules and Regulations promu	R. 5-5-14, all of the owners of the authorized place(s) of use of the are responsible for compliance with its terms, conditions and amary Order, and with applicable provisions of the Kansas Water ligated thereunder. Failure to comply with these provisions may ended, and/or the suspension or revocation and dismissal of the ins authorized by law.
If you you Eng	Administrative Appeal and Effective Date of Order ou are aggrieved by this order, pursuant to K.S.A. 82a-1901, may request an evidentiary hearing before the Chief pineer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be	APPLICATION APPROVED AND SUMMARY ORDER ISSUED By: Contr. Male
filed adn day revi File Leg 665	d within 15 days of service of this Order and a request for ninistrative review by the Secretary must be filed within 30 is pursuant to K.S.A. 77-531. Any request for administrative ew must state a basis for review pursuant to K.S.A. 77-527. any request with Kansas Department of Agriculture, pal Division, 1320 Research Park Drive, Manhattan, KS 102. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.	Duly Authorized Designee of the Chief Engineer (Print Name)
	For Use by Register of Deeds	County of Linney
		Acknowledged before me on October 29, 2024
		W Xustin McColloch
		Signature: Laron holsted
		AARON T. HOLSTED
		My commission expires: My Appointment Expires Notary Setal) 18, 2027

Page 4

DWR 1-121 (Revised 09/11/2019)

WATER MANAGEMENT FOR SOUTHWEST KANSAS



GMD3



Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street Garden City, Kansas 67846

(620) 275-7147 phone www.gmd3.org

October 22, 2024

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

RE: Application for Change in Place of Use

Water Right, File Nos. 29858 & 32473

Dear Mike:

We have assisted with the applications for the above referenced water rights. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use will make a complete overlap in authorized place of use in accordance with K.A.R. 5-5-11(b). It is therefore recommended that the applications 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