## NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

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.

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Sec. Twp.	Range	NE¼	NE NW1⁄4	5W1/4	SE1/4	NE1/4	NV NW1/4	V1/4 SW1/4	SE1/4	NE1/4	NW1/4	SW1/4			NW1/4	SW1/4	25444	ACRES
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### APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

FILE NO. 22860

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or Section	9	, rownship	26 foot North	South, Range	32	(VV
N FINNEY	CO	unty, Kansas, 1300	teet North _	1330 reet vvest of S	outneast corne	er of section.
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DWR use only: C	omputer ID	No. 4 Gi	PS	feet North	teet vve	est)
		ged				
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n	Co	unty, Kansas,	feet North _	feet West of S	Southeast corne	er of section.
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Presently authoriz						
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of Section	9	, Township	26	Quarter of the South, Range 5950 feet West of S	32	(W
n FINNEY	Co	unty, Kansas, <u>1300</u>	feet North _	3950 feet West of S	Southeast corne	er of section.
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Presently authoriz	ed point of	diversion:				
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File No. \_\_\_

DWR 1-121-2 (Rev. 01/23/2008)

14. If th	ne proposed groundwater point of diversion is 300 or fewer feet fro	m the existing point of	of diversion, complete t	the following:
(a)	Does the undersigned represent all owners of the currently authorally Yes No (If no, all owners must sign this application).		identified in this applic	cation?
(b)	Will the ownership interest of any owner of the currently author affected if this application is approved as requested?  ☐ Yes ☐ No (If yes, all owners must sign this appli		identified in this applic	ation be adversely
(c)	If this application is not approved expeditiously, will there be subside in the	stantial damage to presation.)	operty, public health or	r safety?
or a cha	pplication proposes a surface water change in point of diversion, a inge in place of use, the application must be signed by all owners attach notarized statement authorizing representation).	groundwater change of the currently autho	in point of diversion gorized place of use, or t	reater than 300 feet their duly authorized
age an their b	by verify, being first duly sworn upon my oath or affirmand the owner, the spouse of the owner, or a duly authorise that, in regards to the water right(s) to which this appoint in this application are true, correct and complete.	zed agent of the o dication pertains.	wner(s) to make th I further verify tha	is application or
Dated a	t ARDEN CITY , Kansas, this	26 day of	APRIL	20 19
<b>X</b>	HAD THE TOTAL THE TANK THE TAN	day or		
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	(Please Print)		(Please Print)	real Sea
	(Owner)	S. Digwess is the series of th	(Spouse)	CATTOR SALES
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10-11-11	(Please Print)		(Please Print)	
State of	CINCICI			
County of	eby certify that the foregoing application was signed in m	ny presence and s	worn to before me	this 26TH day
of	NOTARY PUBLIC - State of Notary Public - State	(ansas )	me Pline	1
My Com	mission Expires	O W and	Notary Public	
accurate	OMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all conformation; maps, if necessary, must be included; signatures of all the appriate fee must be paid.	of the applicable portions propriate owners' must l	s of the application form n be affixed to the application	nust be completed wit on and notarized; and
	FEE SCHEDU	LE .		
forth in t	plication to change the place of use or the point of diversion under the schedule below: Make checks payable to: Kansas Departme	r this section shall be ent of Agriculture		
	<ol> <li>Application to change a point of diversion 300 feet or less</li> <li>Application to change a point of diversion more than 300 feet</li> <li>Application to change the place of use</li></ol>			
	The continue of the continue o	ΔPR <b>9</b>	<b>6</b> 2019	

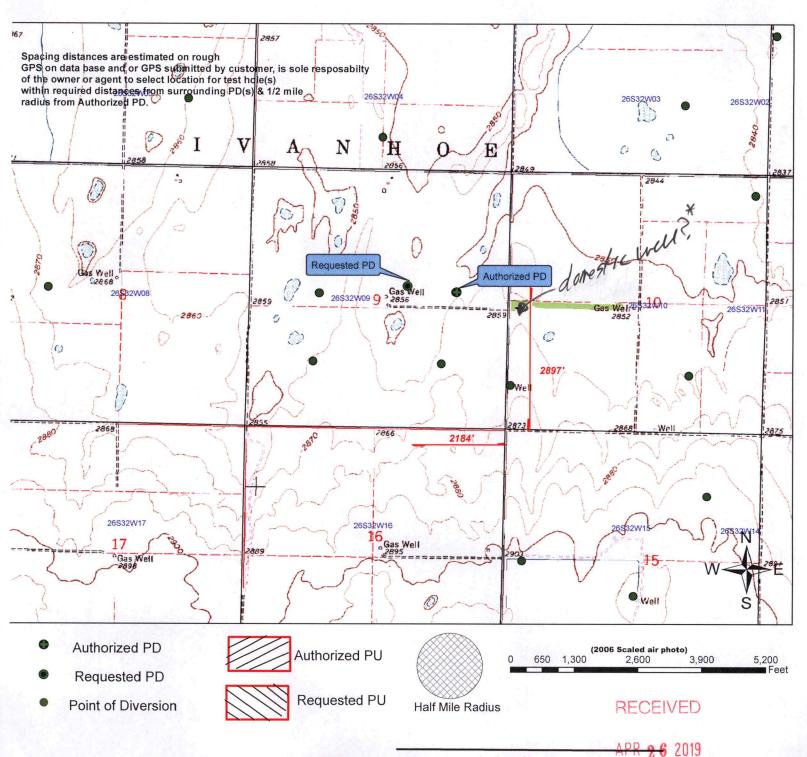
AFR 20 2013

#### SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

provisions of the Kansas Water Appropriation Law, K.S.A. 82a-7 With the exception of those conditions expressly contained herein, limitations of File No.	, this Summary Order does not change the terms, conditions and
A change application was received on	requesting that the place of use and / or point of erbe changed as described in the application.
2. On and after the effective date of this summary order, the auth	
<ol> <li>The change in point of diversion shall not impair existing right previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion.</li></ol>	this summary order shall be located within afoot
4. The point(s) of diversion described herein is administrativel Positioning System (GPS), as described in the application.	y corrected to be more accurately described using the Global ☐ Applicable ☐ Not Applicable
5. The point(s) of diversion authorized herein shall not actually b authorized point(s) of diversion. ☐ Applicable ☐ No	be located more than feet from the previously at Applicable
6. As required by K.A.R. 5-3-5d, if the works for diversion is a we	
operated and maintained in accordance with K.A.R. 5-1-4 th	whichever occurs first. The water flow meter shall be installed, hrough 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 water
<ol> <li>Installation of the works for diversion of water shall be a authorized extension of time. By March 1, 20 the a works for diversion has been completed, on the form provid Applicable \( \square\$ Not Applicable</li> </ol>	applicant shall notify the Chief Engineer that construction of the
9. The completed well log shall be submitted with the requir	red notice.
<ol> <li>All diversion works into which any type of chemical or other for with an in-line, automatic, quick-closing check valve capab check valve(s) shall be installed, operated and maintained in</li> </ol>	preign substance will be injected into the water shall be equipped ble 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	
limitations, as amended and/or supplemented by this Sumi	er are responsible for compliance with its terms, conditions and mary Order, and with applicable provisions of the <i>Kansas Water</i> gated thereunder. Failure to comply with these provisions may ended, and/or the suspension or revocation and dismissal of the
Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief	APPLICATION APPROVED AND SUMMARY ORDER ISSUED
Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be	By: Duly Authorized Designee of the Chief Engineer
filed within 15 days of service of this Order and a request for administrative review by the Secretary must be filed within 30	Duly Authorized Designee of the Chief Engineer
days pursuant to K.S.A. 77-531. Any request for administrative	(Print Name): Division of Water Resources - Kansas Department of Agriculture
review must state a basis for review pursuant to K.S.A. 77-527. File any request with <b>Kansas Department of Agriculture</b> ,	Date of Issuance:
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.	State of Kansas ) ) SS
For Use by Register of Deeds	) SS County of)
	Acknowledged before me on
RECEIVED	by
ADD = 0.2010	Signature:
APR 2 6 2019	Signature:Notary Public
Garden City Field Office	My commission expires:
Division of Water Resources	(Notary Seal)
DWR 1-121 (Revised 04/5/2018) Page	File No.

+ possible domestic well Richard Eightner 11 21 5175 E. Plymell 21

#### Point of Diversion Change WR 22860 Section 9 T26 R32W Finney Co.



Applicant Signature

By signing this map the applicant is aware that no other wells (Irrigation, Domestic, Industrial etc) are within the 1/2 mile radius circle.

Division of Water Resources



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

KYLE AVERHOFF 620-335-5454 CELL 620-271-1192

Customer	Name:	Noble Dairy L	LC.	WO#: 15389	Date: 4-19-19
Street Add			ROAD	Test #: 2	E LOG: Yes
City, State	e:	GARDEN CITY	15 67846	Driller: Dale Gu.	
County:	Finner	Quarter: NE	Section: 9	Township: 26	Range: 32
Location:			GF	S: N 37, 80309 W 100.	82328
Rig#:	10002		Elevation: 2847'	Static WL: 223	Estimated?
				Proposed Well Depth	504

WELL LOCATION 20' Sump Footage **Description of Strata** % Pay To From 0 Top Soil 2 4 Brown Sandy Clay Fine Sand w/Some clay mixed 8 4 Brown Sandy Clay Sand fine to med course small grave ! 22 8 35 22 Gray: Sandy Clay 35 41 Brown Clav 41 59 Fine Sand w/ Some clay Stringers 68 59 Sand fine to mad course few small gravel 96 68 Brown Clay w/ Some fine Sand mixed 96 120 Brown Clay 135 120 Sand fine to med course 140 135 Brown & some Light Blue Clay 151 140 Sand fine to med few course Blue Clay - Ovilled Hard Ledge @ 199' Broke Thru + Lost Circ. mixed 151 178 Gel & Bran -234 Sand fine to med - Blue in Color + Hard in places - w/few clay 29. 234 252 Sand fine to med few course - Blue in Color -8 15 252 260 Sand fine to med course 260 268 25 Brown Sandy clay Sand fine to med some course 268 284 284 15 299 25 Sand fine to med few course 299 328 20 Brown Sandy Clay 340 328 Fine Sand wifew clay stringers 10 340 352 Sand fine some med refew small white rock - Drilled Loose -25 377 352 25 Brown Sandy Clay Fine Sand w/ coupl- clay ledges 395 377 3.95 34 429 15 Brown Sandy clay 429 438 Sandstone w/few soapstone ladges 5 46 484 438 Shale 500 484 Super Gel X - 5 Grout Bent. Plug 3/4 DECEIVED - 4 Perma Plus -1 Bran -5 43/4 Drag Blade -1 He Resources

State of Kansas, Finney nty SS.
This instrument was filed or Record
12/11/2018 at 10:12 AM
& recorded in Book 0336 on Page 761

Fees: \$38.00 2018-04935

ULRI KE LAPPIN,

FINNEY COUNTY REGISTER OF DEEDS

by Cori Llenegro Dyally

NO INDEX

330 /01



Intered in Transfer Record in my office this

Finney County Clerk

KANSAS WARRANTY DEED (Individual/Tenants in Common)

THIS DEED, is made this \_\_\_\_\_ day of \_\_\_\_\_\_\_, 2018 by and between Back-Bar Farm, Co. of Kansas, a Kansas corporation as Grantor(s), and Noble Dairy LLC, as Grantee(s), whose mailing address is 3705 F Road, Garden City, KS 67846.

**WITNESSETH**, that the Grantor(s), for and in consideration of the sum of One Dollar and other good and valuable consideration paid by the Grantee(s), the receipt and sufficiency of which is hereby acknowledged by Grantor(s), do/does by these presents **GRANT**, **BARGAIN AND SELL**, **CONVEY AND WARRANT** unto the Grantee(s), the following described Real Estate, situated in the County of **Finney** and State of Kansas, to-wit:

All of Section Nine (9), Township Twenty-six (26) South, Range Thirty-two (32) West of the 6th P.M., Finney County

Subject to all easements, restrictions and reservations, if any, now of record.

**TO HAVE TO HOLD** the same, together with all rights and appurtenances to the same belonging, unto the Grantee(s), and to the heirs and assigns of such Grantee(s) forever.

The Grantor(s) hereby covenanting that the Grantor(s), and the heirs, executors, administrators and assigns of the Grantor(s), shall and will **WARRANT AND DEFEND** the title to the premises unto the Grantee(s), and to the heirs and assigns of Grantee(s) forever, against the lawful claims of all persons whomsoever, excepting, however, the general taxes for the current calendar year and thereafter, and special taxes becoming a lien after the date of this deed.

RECEIVED

APR 26 2019

Garden City Field Office Division of Water Resources Dated: Dec. 6,2018

336 761

Back-Bar Farm, Co. of Kansas, a Kansas corporation

Name: William V. Wolbach

Title: President

STATE OF Missouri

COUNTY OF SACK SON

) ss.

On <u>December ()</u>,2018 this deed was acknowledged before me by William V. Wolbach, President of Back-Bar Farm, Co. of Kansas, a Kansas corporation, Grantor(s).

My appointment expires: March 24. 2022

JENNIFER DUNKLIN My Commission Expires March 24, 2022 **Jackson County** Commission #14954339

RECEIVED

APR 26 2019

Garden City Field Office Division of Water Resources Garden City Field Office 4532 W. Jones, Suite A Garden City, KS 67846



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

Mike Beam, Secretary

Laura Kelly, Governor

May 1, 2019

RICHARD LIGHTNER 5175 E PLYMELL RD GARDEN CITY KS 67846

RE: Water Right, File No. 22860

Dear Sir:

This is to advise you that Noble Dairy LLC has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to point of diversion under the above referenced application.

You can find the complete application posted by water right file number as referenced above at <a href="https://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices">www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices</a>

You are notified on this proposed place of use 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,

Michael A. Meyer Water Commissioner

MAM

Pc:

Groundwater Management District No. 3