

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/D WORKSHEET

1. File Number: 22860	2. Status Change Date: 4-26-2021	3. Change Num: C2	4. Field Office: 4	5. GMD: 3
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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: 3/24/2021
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8a. Applicant(s) New to system <input type="checkbox"/> NOBLE DAIRY LLC 3705 F ROAD GARDEN CITY KS 67846	8c. Landowner(s) New to system <input type="checkbox"/> _____ _____
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8b. Landowner(s) New to system <input type="checkbox"/> 8a	8d. WUC New to system <input type="checkbox"/> 8a
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9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/2021** N & P Date to Comply: **12/31/2022**

Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter

Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **4/22/2021** By: **MAM**
 Date Entered: _____ By: _____

File No. **22860** 11. County: FI Basin: ARKANSAS RIVER Stream: Formation Code: 211/331 Special Use:

12. Points of Diversion										Rate and Quantity						
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Authorized		Additional		Overlap PD Files
ENT												Rate gpm	Quantity af	Rate gpm	Quantity af	
DEL				16663												
CHK				21081												
CHK				26365												
CHK				87576												
ENT				NESWNW	9	26	32W		3936	4100		830	260	830	260	NONE

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

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 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										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
CHK	MOD	DEL	ENT	PUSE	S	T	R	ID		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				7167																									

Base Acres: Year: Minimum Reasonable Quantity:

Comments:

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

April 26, 2021

NOBLE DAIRY LLC
3705 F ROAD
GARDEN CITY KS 67846

RE: Water Right, File No. 22860

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 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.

The abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment

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

Sincerely,


Michael A. Meyer
Water Commissioner

MAM:
enclosures

pc: GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this 26th day of April, 2021, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 22,860 dated 26th day of April, 2021 was mailed postage prepaid, first class, US mail to the following:

NOBLE DAIRY LLC
3705 F ROAD
GARDEN CITY KS 67846

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.

File No. 22860

RECEIVED

MAR 24 2021

8:34 AM
 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: Noble Dairy LLC

3705 F Road, Garden City, KS 67846

Phone Number: (620)384-4905

Email address: willbasham@gmail.com or averhoff@ucom.net

Name and address of Water Use Correspondent: SAME

Phone Number: ()

Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: No Change

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	

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: _____

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 3/24/2021 Check # 010532

5. **Presently authorized point of diversion:**
 One in the SW Quarter of the SE Quarter of the NW Quarter of Section 9, Township 26 South, Range 32 W, in FINNEY County, Kansas, 2700 feet North 3860 feet West of Southeast corner of section.
 Authorized Rate 830gpm Authorized Quantity 260AF Depth of well _____ (feet)
(DWR use only: Computer ID No. 01 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 NE Quarter of the SW Quarter of the NW Quarter of Section 9, Township 26 South, Range 32 W, in FINNEY County, Kansas, 3936 feet North 4100 feet West of Southeast corner of section.
 Proposed Rate 830gpm Proposed Quantity 260AF 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 NC Quarter of the SW Quarter of Section 9, Township 26 South, Range 32 W, in FINNEY County, Kansas, 1300 feet North 3950 feet West of Southeast corner of section.
 Authorized Rate 840gpm Authorized Quantity 260AF Depth of well _____ (feet)
(DWR use only: Computer ID No. 03 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 _____ 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) _____
Lose of production in current well

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

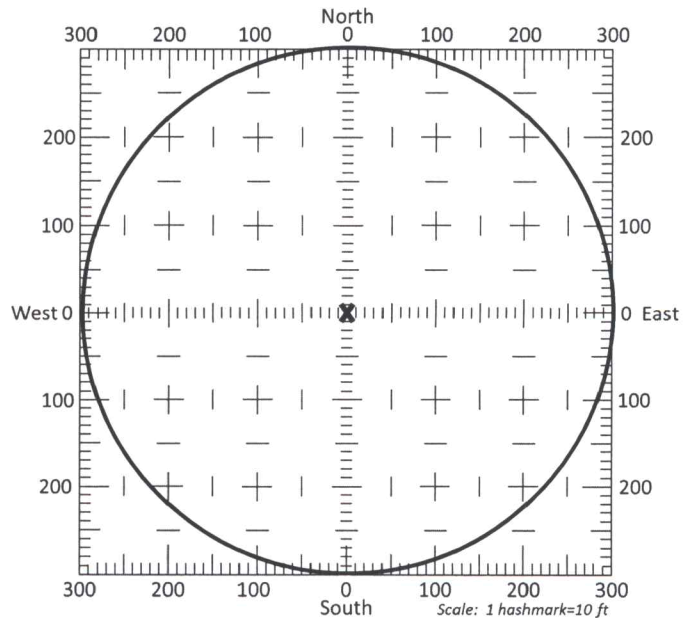
9. The change(s) (was)(will be) completed by?
As soon as approved

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? After completion of new well

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by GMD3/JLN

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.)**

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 22860

Presently authorized point of diversion:
One in the _____ Quarter of the NC Quarter of the SE Quarter
of Section 9, Township 26 South, Range 32 (W),
in FINNEY County, Kansas, 1300 feet North 1330 feet West of Southeast corner of section.
Authorized Rate 825gpm Authorized Quantity 260AF Depth of well _____ (feet)
(DWR use only: Computer ID No. 04 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 _____ 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 _____

Presently authorized point of diversion:
One in the SW Quarter of the SW Quarter of the NE Quarter
of Section 9, Township 26 South, Range 32 W,
in FINNEY County, Kansas, 2897 feet North 2184 feet West of Southeast corner of section.
Authorized Rate 1045gpm Authorized Quantity 260AF Depth of well _____ (feet)
(DWR use only: Computer ID No. 05 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 _____ 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 _____

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: 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 _____

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: 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 _____

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 Garden City, Kansas, this 23rd day of March, 2021.

[Signature]

 (Owner)

 (Spouse)

Kyle S Averhart, Manager

 (Please Print)

 (Please Print)

 (Owner)

 (Spouse)

 (Please Print)

 (Please Print)

 (Owner)

 (Spouse)

 (Please Print)

 (Please Print)

State of Kansas }
 County of Gray } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 23 day of March, 2021.

Victoria Trevino

 Notary Public

My Commission Expires July 22, 2023

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. 22 860

1. A change application was received on March 24, 2021 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 _____ 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, 2021**, 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, 2021**, or within any authorized extension of time. By March 1, 2021 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: April 26, 2021

State of Kansas)

County of Stimney) SS

Acknowledged before me on April 26, 2021

by Michael A Meyer

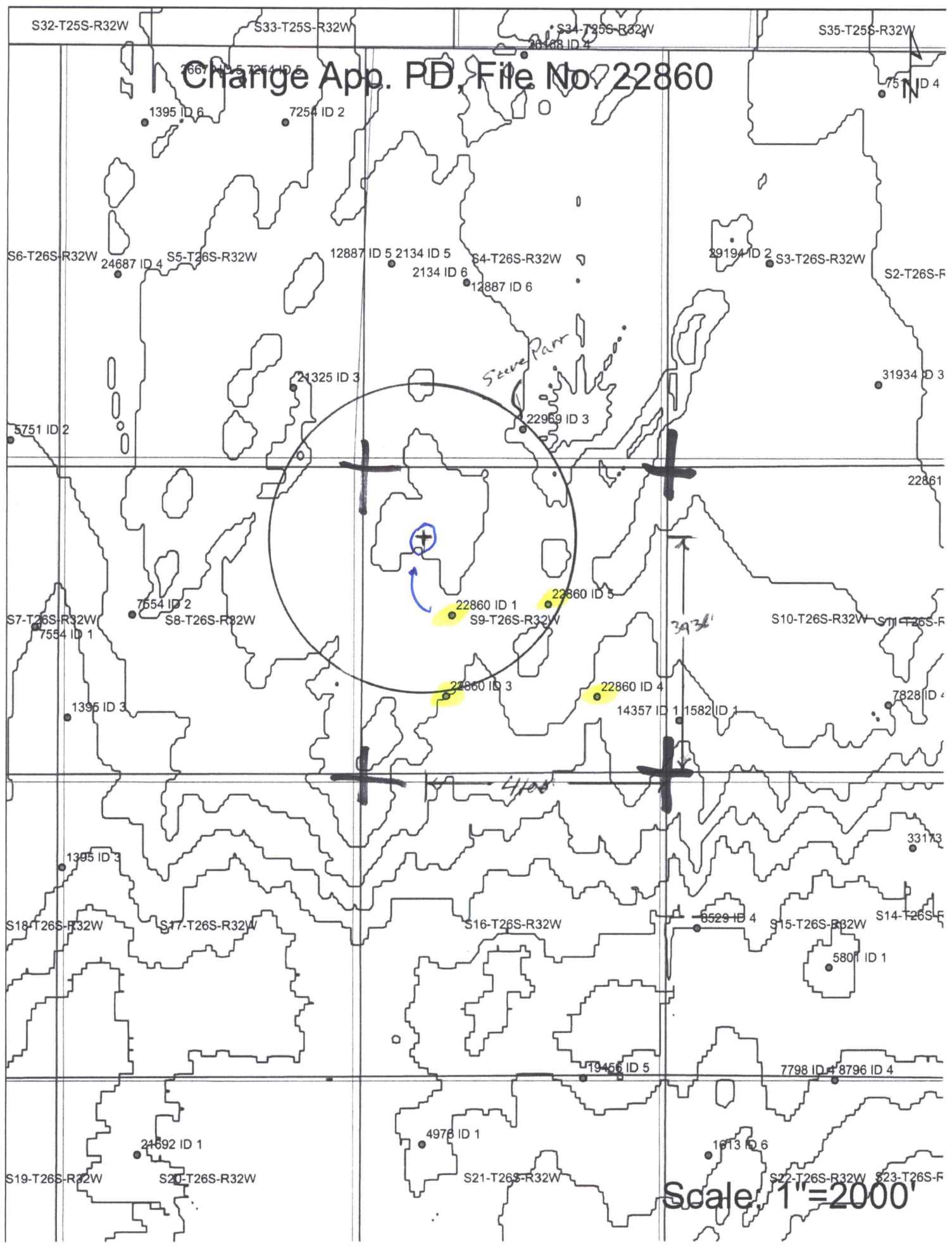
Signature: Julie Jones

Notary Public

My commission expires: _____



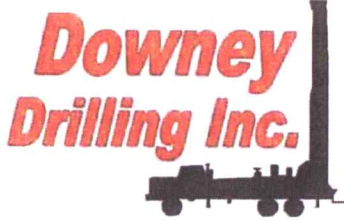
Change App. PD, File No. 22860



Scale, 1" = 2000'

WELL LOG

DATE: 3/11/2021



CUSTOMER NAME: NOBLE DAIRY TH#2

LEGAL: NW 9-265-32W

COUNTY: FINNEY CO, KS

GPS: N 37.805942

W -100.829911

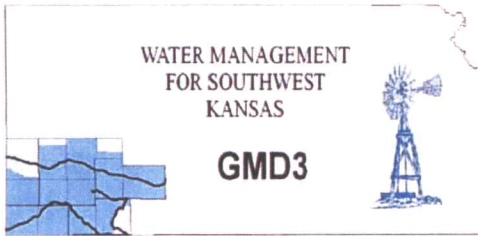
LOGGER:

DRILLER: DIEGO VALLE

WO: 21-079

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
0	4		TOPSOIL	SOFT	BROWN	FAST		SMOOTH
4	13		SILTY CLAY	SOFT	BROWN	FAST		SMOOTH
13	19		CLAY	SOFT	GRAY	FAST		SMOOTH
19	24		FINE-MED-COARSE SAND	SOFT	RED	FAST		FAST CHATTER
24	48		FINE-MED-COARSE SAND W/ FINE GRAVEL	SEMI-SOFT	RED	FAST		CHATTER
48	60		FINE-MED GRAVEL	SEMI-SOFT	RED	FAST		CHATTER
60	63		MED SAND	SOFT	TAN	FAST		CHATTER
63	81		SANDY CLAY W/ FINE SAND	SOFT		FAST		SMOOTH & VIBRATION
81	103		MED SAND	SOFT	TAN / BROWN	FAST		CHATTER
103	125		SANDY CLAY W/ FINE SAND & CEMENTED SAND LAYERS	SOFT & FIRM	TAN / BROWN	FAST		SMOOTH & CHOPPY
125	143		SANDY CLAY	SOFT	TAN	FAST		SMOOTH
143	156		MED-COARSE SAND, TR. FINE GRAVEL	SOFT	TAN / RED	FAST		FAST CHATTER
156	159		SANDY CLAY	SOFT	TAN	FAST		SMOOTH
159	167		COARSE SAND, FINE GRAVEL	SOFT	TAN / RED	FAST		FAST CHATTER
167	186		CLAY	SEMI	BROWN & BLUE	FAST		SMOOTH
186	193		VERY FINE, FINE SAND	SOFT	BLUE / GRAY	FAST		SMOOTH
180	217		BLUE CLAY	STIFF / STICKY	BLUE	FAST		SMOOTH
217	221		SILTY CLAY	SOFT	BROWN	FAST		SMOOTH
221	242		CLAY	SOFT	BLUE	FAST		SMOOTH
242	263		FINE-MED-COARSE SAND W/ CEMENTED SAND LAYERS	SEMI-SOFT		FAST		CHATTER
263	276		SAND, SANDY CLAY	SOFT	BROWN	FAST		IN / OUT CHATTER / SMOOTH
276	296		COARSE SAND W/ FINE-MED GRAVEL	SEMI-SOFT	TAN / RED	FAST		CHATTER
296	299		SANDY CLAY	SOFT	TAN	FAST		SMOOTH
299	331		COARSE SAND W/ FINE GRAVEL	SEMI-SOFT	TAN / RED	FAST		CHATTER
331	347		SANDY CLAY	SOFT	TAN	FAST		SMOOTH
347	356		FINE-MED-COARSE SAND	SOFT	TAN	FAST		FAST CHATTER
356	380		SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		SMOOTH & VIBRATION
380	405		SILTY CLAY	SOFT	BROWN	FAST		SMOOTH
405	415		LIMEROCK	STIFF	WHITE	FAST		FAST CHATTER
415	435		SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
435	439		SANDY CLAY W/ FINE SAND & BROWN ROCK	SOFT & FIRM	BROWN	FAST		SMOOTH & CHOPPY
439	465		SAND, SANDSTONE, BROWN ROCK	SEMI-SOFT	BROWN	FAST		CHATTER / CHOPPY
465	474		CLAY	SOFT	BRWN / TR YELLOW	SLOWER		SMOOTHER
X	465	490	BROWN ROCK	SEMI-FIRM	BROWN	FAST		FAST CHATTER
490	496		WEATHERED SHALE W/ SHALE LAYERS	SOFT	YELLOW	SEMI-SLOW		SMOOTH
496	517		FINE SAND & SANDSTONE	SOFT & FIRM	BLUE	FASTER		SMOOTH & CHOPPY

STATIC 220'
 240'



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

April 22, 2021

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 No. 22860

Dear Mike:

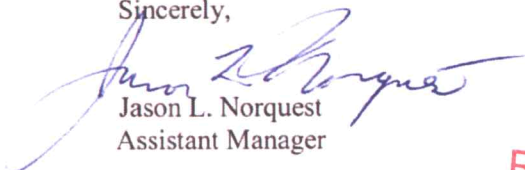
We have completed a review of the application for the above referenced water right. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells.

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 draft revised 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 in cases where saturated thickness is greater than 200 ft), 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 none of the neighboring wells exceeded the net effect above the maximum allowable threshold. Our office received no comments of concern from neighboring well owners. Therefore, GMD3 sees this move as reasonable and therefore recommend that the application be approved. 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 L. Norquest
Assistant Manager

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Garden City Field Office
Division of Water Resources

GMD3 Change Review

File No(s): 22860 ID01 . DWR office: GC.
App filed to change: PD.
Is Landowner(s) correct in WRIS: Noble Dairy.
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	2700	3860	Sect 9-26-32
Proposed PD	3936	4100	
Difference	-1236 n	-240 w	
a2 + b2 = c2	1527696	57600	1259.085 foot move NW

GPS for proposed PD: Lat: 37.805942 Long: -100.829911.

Is proposed PD stacking on existing WRs? NO.
Is Proposed PU overlapping existing WRs? No Change.
Neighboring certified well(s) notified: .

Name Richard A Lightner (1582, 14357, and a domestic) .
Address 5175 E Plymell RD.
Zip Garden City, KS 67846.
Email: richard5@ucom.net. Phone: 620-276-6295 .

Name Gene Heiman Enterprises LP (2134, 12887).
Address 9460 S County Road 15.
Zip Garden City, KS 67846.
Email: bhiman57@gmail.com. Phone: 620-277-5998.

Name Steve K Parr (22969).
Address 208 Bullard DR.
Zip Garden City, KS 67846.
Email: parr.steve@yahoo.com. Phone: 620-272-1572.

Domestic well(s) notified: .
Name Kyle J & Kimberly K Lightner (SW 3-26-32).
Address 3075 E Plymell RD.
Zip Garden City, KS 67846.

Base Acres: .
Perfected Acres: .
Irr. Return-Flow %

GMD3 Change Review

ID 01 currently authorized 260AF @ 830gpm
10 year average use (2011-2020): 181.3AF/year
2019 GMD3 inspection showed 497.9gpm

Is a waiver needed: Move less than half mile and spacing appears met to neighboring wells. Analysis shows 4.0' allowable effects and none of the neighboring wells were over 1.0'. No response from notices.

Recommendation: After review of all available information, it appears area rules are met and analysis shows minimal effects. Staff therefore recommend approval of the applicaiton.



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22860 ID5: Drawdown from current location = 1.41 ft
Drawdown from proposed location = 1.83 ft
Net drawdown = **0.4 ft**

1582 & 14357: Drawdown from current location = 0.71 ft
Drawdown from proposed location = 0.93 ft
Net drawdown = **0.2 ft**

21325: Drawdown from current location = 0.67 ft
Drawdown from proposed location = 1.15 ft
Net drawdown = **0.5 ft**

2134 & 12887 ID5: Drawdown from current location = 0.56 ft
Drawdown from proposed location = 0.95 ft
Net drawdown = **0.4 ft**

2134 & 12887 ID6: Drawdown from current location = 0.59 ft
Drawdown from proposed location = 1.00 ft
Net drawdown = **0.4 ft**

22969: Drawdown from current location = 0.85 ft
Drawdown from proposed location = 1.62 ft
Net drawdown = **0.8 ft**

Domestic 3-26-32: Drawdown from current location = 0.64 ft
Drawdown from proposed location = 0.99 ft
Net drawdown = **0.4 ft**

Domestic 9-26-32: Drawdown from current location = 1.01 ft
Drawdown from proposed location = 1.80 ft
Net drawdown = **0.8 ft**

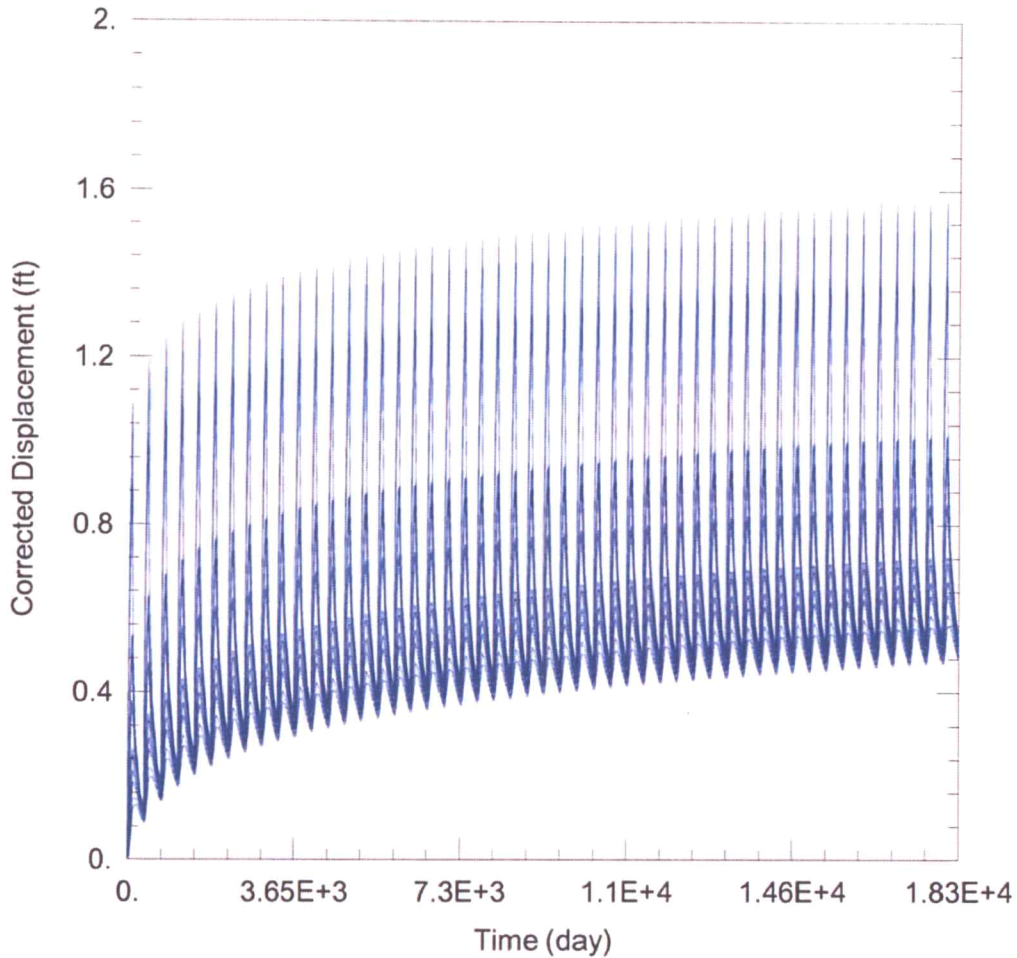
Domestic 10-26-32: Drawdown from current location = 0.72 ft
Drawdown from proposed location = 1.00 ft
Net drawdown = **0.3 ft**

Net drawdown does not exceed the drawdown allowance of 4.0 ft for any well within 1 mile of the proposed location. Therefore, critical well analysis is not necessary.

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Division of Water Resources

Conclusion:

The proposed move is likely to create minimal effects on neighboring wells and is unlikely to cause impairment. GMD3 staff recommends approval of this proposal.



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2021_Moves\22860\22860 Current.aqt

Date: 04/15/21

Time: 14:21:29

PROJECT INFORMATION

Company: GMD 3
 Project: 22860 ID 1
 Location: Finney County
 Test Well: 22860 ID 1

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Garden City Field Office
 Division of Water Resources

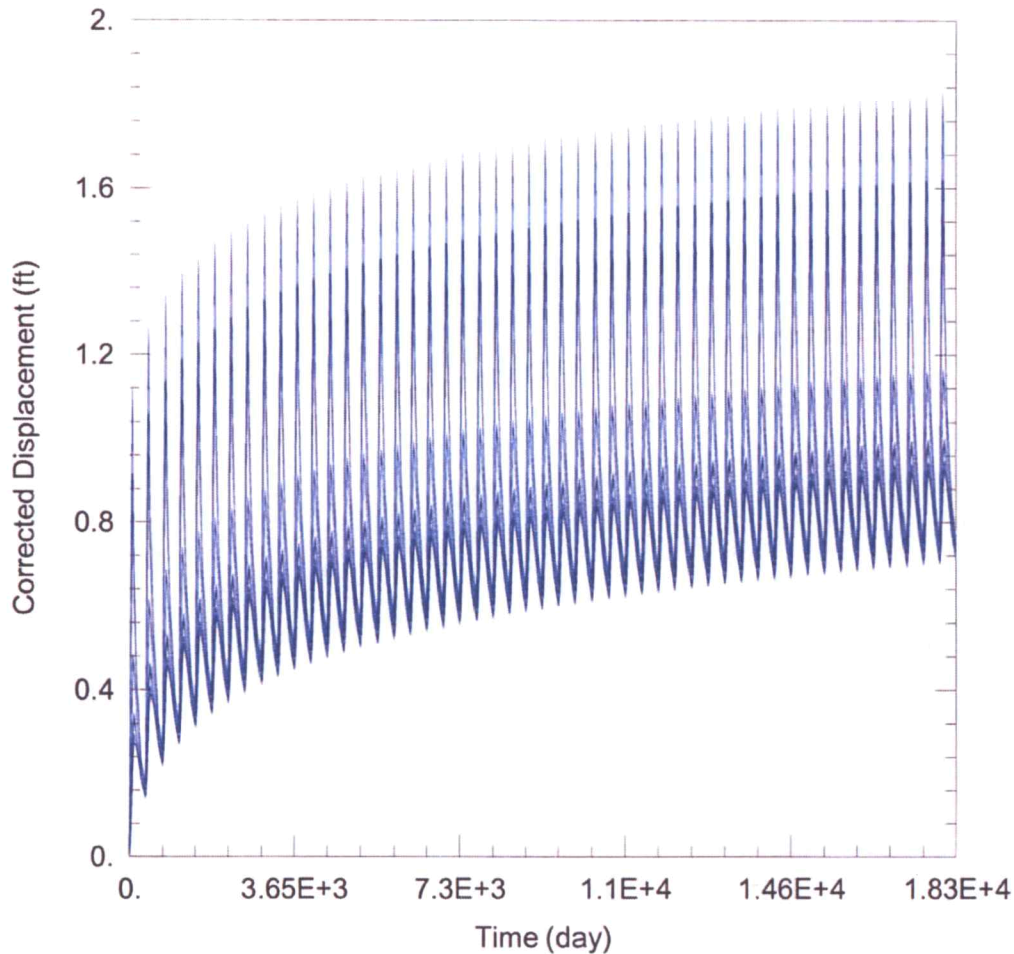
WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
22860 ID 1	-8684	337753

Observation Wells

Well Name	X (ft)	Y (ft)
□	-8684	337753
□ 22860 ID 3	-8771	336351
□ 22860 ID 4	-6171	336343
□ 22860 ID 5	-7008	337942
□ 1582 & 14357	-4726	335931
□ 21325	-11456	341676
□ 2134 & 12887 ID 5	-9751	343827
□ 2134 & 12887 ID 6	-8451	343503
□ 22969	-7470	340964
□ Domestic 3-26-32	-4502	340765
□ Domestic 9-26-32	-6816	339657
□ Domestic 10-26-32	-4503	337351



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2021_Moves\22860\22860 Proposed.aqt

Date: 04/15/21

Time: 14:21:22

PROJECT INFORMATION

Company: GMD 3
 Project: 22860 ID 1
 Location: Finney County
 Test Well: 22860 ID 1

WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
22860 ID 1	-8802	338973

Observation Wells

Well Name	X (ft)	Y (ft)
□	-8802	338973
□ 22860 ID 3	-8771	336351
□ 22860 ID 4	-6171	336343
□ 22860 ID 5	-7008	337942
□ 1582 & 14357	-4726	335931
□ 21325	-11456	341676
□ 2134 & 12887 ID 5	-9751	343827
□ 2134 & 12887 ID 6	-8451	343503
□ 22969	-7470	340964
□ Domestic 3-26-32	-4502	340765
□ Domestic 9-26-32	-6816	339657
□ Domestic 10-26-32	-4503	337351

Meyer, Mike [KDA]

From: Meyer, Mike [KDA]
Sent: Tuesday, April 13, 2021 4:40 PM
To: 'Norquest, Jason (Norquest@gmd3.org)'
Subject: request for recommendation, file no. 22860
Attachments: 20210413162803509.pdf

good afternoon

attached is the noble diary application to change the point of diversion for File No. 22860 that needs your review and recommendation within 15 days.

thank you and take care

Mike

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

April 13, 2021

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

Re: Water Right, File No. 22860

Dear Mr. Norquest:

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 change the point of diversion.

We are delaying action on the change applications 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,

A handwritten signature in blue ink, appearing to read "Michael A. Meyer". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Michael A. Meyer
Water Commissioner

MAM
Enclosures

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

March 29, 2021

STEVE K PARR
208 BULLARD DR
GARDEN CITY, KS 67846-9680

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. An irrigation well is proposed to be relocated.

You can find the complete application posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices

You are notified on this proposed point of diversion (well) 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,

A handwritten signature in black ink, appearing to read "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM

Pc:

Groundwater Management District No. 3

SCANNED