

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 To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
http://agriculture.ks.gov/dwr

**APPLICATION FOR APPROVAL TO
CHANGE THE PLACE OF USE, THE
POINT OF DIVERSION OR THE USE
MADE OF THE WATER UNDER AN
EXISTING WATER RIGHT**



State of Kansas

*Filing Fee Must Accompany the Application
(Please refer to Fee Schedule on signature page of application form.)*

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
(Check one or more) Point of Diversion
 Use Made of Water

Water Resources
Received

FEB 25 2019

1:50

KS Dept Of Agriculture

File No. 41580

2. Name of applicant: HIGH PLAINS PONDEROSA DAIRY LLC

Address: 2042 V RD

City, State and Zip: PLAINS KS 67869

Phone Number: () _____

E-mail address: _____

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: _____

Address: _____

City, State and Zip: _____

Phone Number: _____

E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): TO CHANGE THE USE MADE OF WATER FOR DUAL USE FOR STOCKWATER AND IRRIGATION USE TO SUPPORT DAIRY AND TO ADD THE PLACE DAIRY AS A PLACE OF USE.

The change(s) (was) (will be) completed by 2018

(Date)

For Office Use Only:

F.O. 4 GMD 3 Meets K.A.R. 5-5-1 (YES / NO) Use IRR/STK Source (G) S County ME By KON Date 2/26/19
Code _____ Fee \$ 500 TR # _____ Receipt Date _____ Check # 48594

2/26/2019 ULM

4. The presently authorized place of use is:

Owner of Land — NAME: PARITY INVESTMENTS INC
 ADDRESS: 303 MAIN, KISMET KS 67859

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	
31	33	30W					30.75	Lot 1 30.75	Lot 2 30.75	30.75									123.0
23	33	31W									32.50	32.50	32.50	32.50	32.50	32.50	32.50	32.50	260.0
24	33	31W					30.75	30.75	30.75	30.75									123.0
25	33	31W									30.75	30.75	30.75	30.75					123.0
34	33	31W					27.50	27.50	27.50	27.50									110.0
35	33	31W	30.75	30.75	30.75	30.75	30.75	30.75	30.75	30.75									246.0
36	33	31W	30.75	30.75	30.75	30.75													123.0

List any other water rights that cover this place of use. 22306 26247 40445 41192 41578 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

Owner of Land — NAME: SOUTHWEST AGRI-CENTER INC.
 ADDRESS: 303 MAIN, KISMET KS 67859

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	
27	33	31W	31.50	31.50	31.50	31.50					31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	376.0
28	33	31W													24.0	24.0	35.0	35.0	118.0
33	33	31W	33.0	33.0	30.5	30.5													127.0

List any other water rights that cover this place of use. 22306 26247 40445 41192 41578 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: PARITY INVESTMENTS INC
 ADDRESS: 303 MAIN, KISMET KS 67859

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	
31	33	30W					30.75	Lot 1 30.75	Lot 2 30.75	30.75									123.0
23	33	31W									32.50	32.50	32.50	32.50	32.50	32.50	32.50	32.50	260.0
24	33	31W					30.75	30.75	30.75	30.75									123.0
25	33	31W									30.75	30.75	30.75	30.75	Water Resources Received				123.0
34	33	31W					27.50	27.50	27.50	27.50					FEB 25 2019				110.0
35	33	31W	30.75	30.75	30.75	30.75	30.75	30.75	30.75	30.75									246.0
36	33	31W	30.75	30.75	30.75	30.75								KS Dept Of Agriculture				123.0	

List any other water rights that cover this place of use. 22306 26247 40445 41192 41578 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

6. The presently authorized point(s) of diversion (is) (are) AS AUTHORIZED, NO CHANGE
(Provide description and number of points)

7. The proposed point(s) of diversion (is) (are) no change
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **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 _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

9. **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 _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

10. **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 _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows: Water Resources
Proposed point of diversion: (Complete only if change is requested) Received
 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. **FEB 25 2019**
 Proposed Rate _____ Proposed Quantity _____ **KS Dept Of Agriculture**
 This point is: Additional Well Geo Center List other water rights that will use this point _____

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used.

SUPPLEMENTAL SHEET

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 41580
MAKE ADDITIONAL COPIES AS NECESSARY

4. *Continued*; The presently authorized place of use is:

Owner of Land --- NAME:a) ROCK & STEPHANIE ORMISTON II b) SOUTHWEST AGRI-CENTER INC.
ADDRESS: a) PO BOX 43, KISMET KS 67859 b) 303 MAIN, KISMET KS 67859

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	
24	33	31W	18.00	12.00	31.00	31.00													92.0

List any other water rights that cover this place of use. 22306 26247 40445 41192 41578 41580 41581 42084 42110
42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

Owner of Land --- NAME:a) ORMISTON TRUST OF 1992 b) ORMISTON DESCENDANTS TRUST
ADDRESS:a) 303 MAIN ST KISMET KS 67859 b) SAME AS a)

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	
13	33	31W					32.50	32.50	32.50	32.50					14.50	34.00	40.00	34.00	252.0

List any other water rights that cover this place of use. 22306 22306 26247 40445 41192 41578 41580 41581 42084
42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

Owner of Land --- NAME:ROCK & STEPHANIE ORMISTON II
ADDRESS:PO BOX 43, KISMET KS 67859

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	
13	33	31W													34.00	14.50	34.00	40.00	122.5

List any other water rights that cover this place of use. 22306 26247 40445 41192 41578 41580 41581 42084 42110
42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

Owner of Land --- NAME:a) OLETA A LEPPER ESTATE & ZITA BOND - DPOA b) CARL RAY & ZITA BOND
ADDRESS: a) PO BOX 265, GIRARD KS 66743 b) SAME AS a)

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	
34	33	31W	30.75	30.75	30.75	30.75													123.0

List any other water rights that cover this place of use. 22306 26247 40445 41192 41578 41580 41581 42084 42110
42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

Water Resources
Received

Owner of Land --- NAME: HIGH PLAINS PONDEROSA DAIRY LLC
ADDRESS: 2042 V RD, PLAINS KS 67869

FEB 25 2019

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	
7	33	30w																	122.0
19	33	30W	14.50	34.00	40.00	34.00	34.00	Lot 1 14.50	Lot 2 34.00	40.00	40.00	34.00	14.50	34.00	34.00	40.00	34.00	14.50	490.0
30	33	30W					30.75	30.75	30.75	30.75									123.0
31	33	30W													30.75	30.75	30.75	30.75	123.0
35	33	31W													30.75	30.75	30.75	30.75	123.0

List any other water rights that cover this place of use. 22306 26247 40445 41192 41578 41580 41581 42084 42110
42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

5. Continued: 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: SOUTHWEST AGRI-CENTER INC.
 ADDRESS: 303 MAIN, KISMET KS 67859

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	
27	33	31W	31.50	31.50	31.50	31.50					31.50	31.50	31.50	31.50	31.50	31.50	31.50	31.50	376.0
28	33	31W													24.0	24.0	35.0	35.0	118.0
33	33	31W	33.0	33.0	30.5	30.5													127.0

List any other water rights that cover this place of use. 22306 26247 40445 41192 41578 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

Owner of Land ---NAME: a) ROCK & STEPHANIE ORMISTON II b) SOUTHWEST AGRI-CENTER INC.
 ADDRESS: a) PO BOX 43, KISMET KS 67859 b) 303 MAIN, KISMET KS 67859

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	
24	33	31W	18.00	12.00	31.00	31.00													92.0

List any other water rights that cover this place of use. 22306 26247 40445 41192 41578 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

Owner of Land --- NAME: a) ORMISTON TRUST OF 1992 b) ORMISTON DESCENDANTS TRUST
 ADDRESS: a) 303 MAIN ST KISMET KS 67859 b) SAME AS a)

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	
13	33	31W					32.50	32.50	32.50	32.50					14.50	34.00	40.00	34.0	252.0

List any other water rights that cover this place of use. 22306 26247 40445 41192 41578 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

Owner of Land --- NAME: a) ROCK & STEPHANIE ORMISTON II
 ADDRESS: 303 MAIN ST KISMET KS 67859

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	
13	33	31W													34.00	14.50	34.00	40.00	122.5

List any other water rights that cover this place of use. 22306 26247 40445 41192 41578 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

Owner of Land --- NAME: a) OLETA A LEPPER ESTATE & ZITA BOND - DPOA b) CARL RAY & ZITA BOND
 ADDRESS: a) PO BOX 265, GIRARD KS 66743 b) SAME AS a)

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	
34	33	31W	30.75	30.75	30.75	30.75													123.0

List any other water rights that cover this place of use. 22306 26247 40445 41192 41578 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

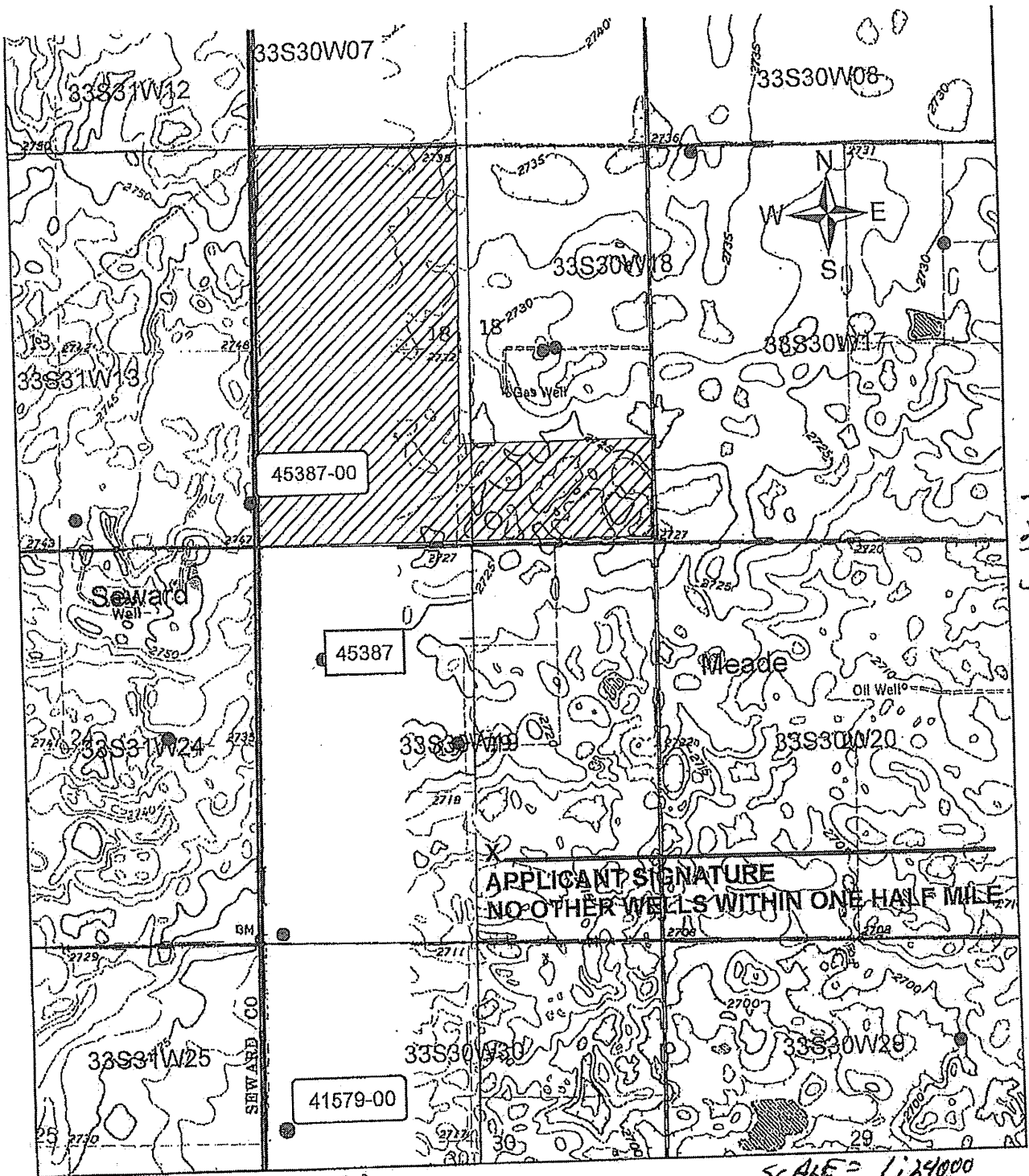
Owner of Land --- NAME: HIGH PLAINS PONDEROSA DAIRY LLC
 ADDRESS: 2042 V RD. PLAINS KS 67869

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	
7	33	30W													40.00	Lot 3 38.22	Lot 4 21.38	22.40	122.0
19	33	30W	14.50	34.00	40.00	34.00	34.00	Lot 1 14.50	Lot 2 34.00	40.00	40.00	34.00	14.50	34.00	34.00	40.00	34.00	14.50	490.0
30	33	30W					30.75	Lot 1 30.75	Lot 2 30.75	30.75	30.75								123.0
31	33	30W									30.75	30.75	30.75	30.75					123.0
35	33	31W									30.75	30.75	30.75	30.75					123.0

List any other water rights that cover this place of use. 22306 26247 40445 41192 41578 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

Water Resources
 Received

FEB 25 2010



R31W

T
33
S

FILE NO. 41580
 APPLICATION TO CHANGE THE USE MADE OF WATER

SCALE = 1:24000


Water Resources
 Received

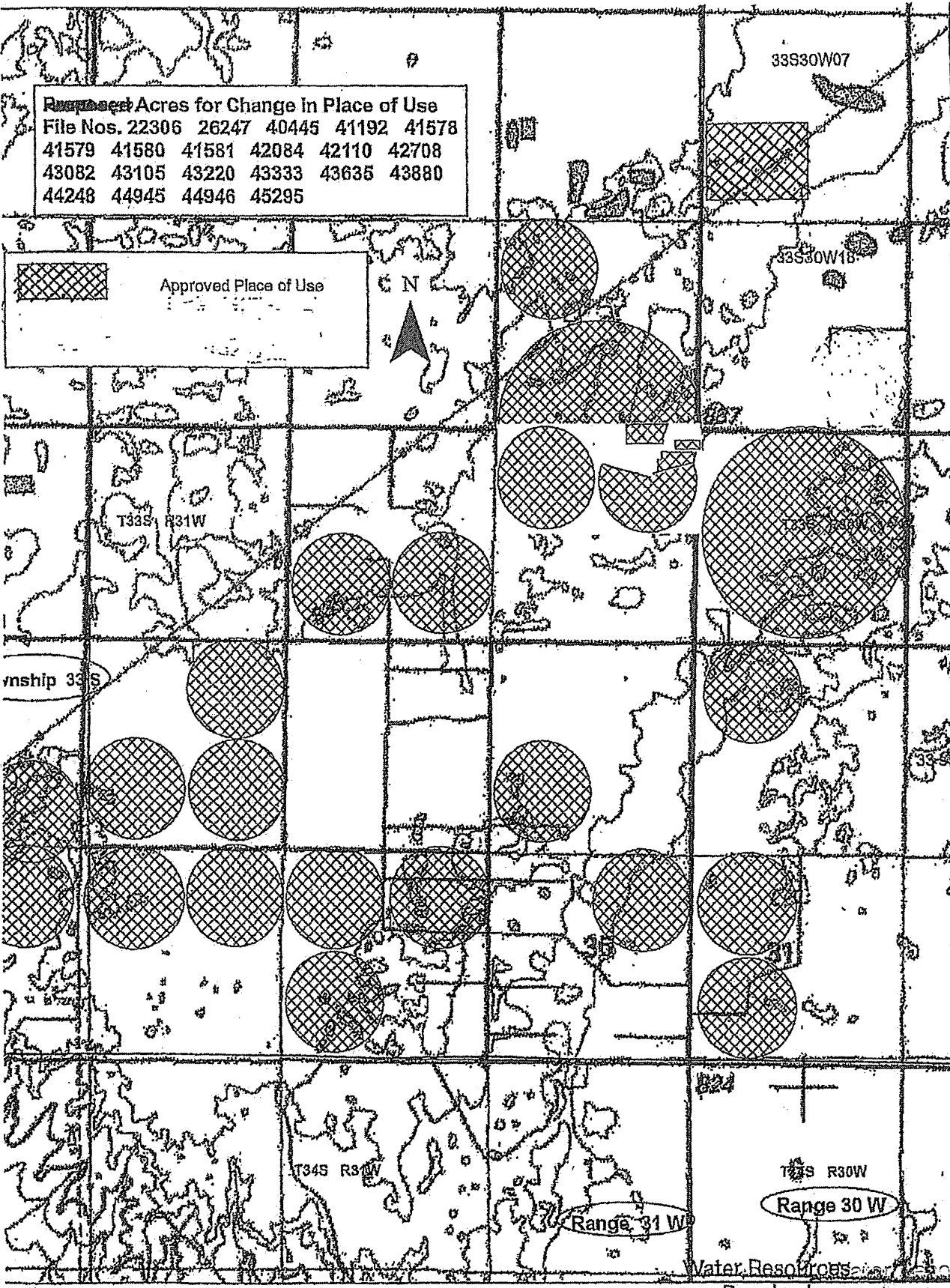
FEB 25 2019

KS Dept Of Agriculture

STOCKWATER PLACE OF USE

Approved Acres for Change in Place of Use
 File Nos. 22306 26247 40445 41192 41578
 41579 41580 41581 42084 42110 42708
 43082 43105 43220 43333 43635 43880
 44248 44945 44946 45295

 Approved Place of Use



R
 R30W
 R31W
 T
 33
 S

Water Resources Received Water Resources Received

IRRIGATION PLACE OF USE

FEB 25 2010

KS Dept Of Agriculture KS Dept Of Agriculture

12. The presently authorized use of water is for IRRIGATION USE purposes.
It is proposed that the use be changed to IRRIGATION AND STOCKWATER purposes.
13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
KAR 5-5-9, CONVERT THE ENTIRE RIGHT TO CONSUMPTIVE USE UNDER THE REGULATIONS. (84.8% OF CURRENT AUTHORIZED QUANTITY. THE NEW QUANTITY OF 682.64 AF OR 222.439 mgy WILL BE LIMITED AS LONG AS STOCKWATER IS AUTHORIZED. IF A REQUEST TO CHANGE THE USE MADE OF WATER IS FILED IN THE FUTURE BACK TO 100% IRRIGATION, THE LIMITED QUANTITY WILL GO AWAY AND THE AUTHORIZED QUANTITY WILL BE RETAINED AT 805 AF FOR IRRIGATION.
No reduction in total acres as majority of the operation of this water right will continue as irrigation use, and effluent will be returned to irrigate land. Therefore, no increase in consumptive use with same net acres. ALSO, THE OVERALL LIMITING ENDORSEMENT OF 1260 AF SHALL BE LIMITED TO 1069 AF WHEN COMBINED WITH FILE NOS. 41579 & 41579
(Please show any calculations here.)
14. It is requested that the maximum annual quantity of water be reduced to NA (acre-feet or million gallons).
15. It is requested that the maximum rate of diversion of water be reduced to NA gallons per minute (NA c.f.s.).
16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.
- If a change in the location of the point(s) of diversion is proposed, show:
 - The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within ½ mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within ½ mile, please indicate so on the map.
 - If the source of supply is surface water, the names and mailing addresses of all landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.
 - If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.
17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.
- NO CHANGE IN SOURCE OF SUPPLY OR LOCAL SOURCE OF SUPPLY PROPOSED
18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

Received

FEB 25 2019

Any use of water that is not as authorized by the water right or permit to authorize water before the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at _____, Kansas, this _____ day of _____, 20____

Southwest Agri Center
Rock Oquist, Pric
 (Owner)

ROCK ORRISTON, DCS.
 (Please Print)

Parity Grain, Inc.
Rock Oquist, Pric
 (Owner)

ROCK ORRISTON, Pric
 (Please Print)

ORRISTON Trust of 92
Rock Oquist, Trustee
 (Owner)

ROCK ORRISTON, Trustee
 (Please Print)

[Signature]
 (Owner)

Rock Orriston II
 (Please Print)

High Plains Ponderosa Park
David Clawson
 (Spouse) owner

David Clawson
 (Please Print)

(Spouse)

(Please Print)

State of Kansas }
County of Meads } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 20th day of February, 2019.

RYAN REIMER
 Notary Public - State of Kansas
 My Appt. Expires 5-19-2020

[Signature]
 Notary Public

My Commission Expires 5-19-2020

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

(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
(4) Application to change the use made of the water	\$300

Water Resources Received

Make check payable to Kansas Department of Agriculture.

FEB 25 2019

KS Dept Of Agriculture

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Interim Secretary

Laura Kelly, Governor

HIGH PLAINS PONDEROSA DAIRY LLC
2042 V RD
PLAINS, KS 67869

February 26, 2019

RE: File No 41580

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use PU/UMW
- point of diversion
- use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent Tournay, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: DLW