

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

1. File Number: <b>43635</b>	2. Status Change Date: <b>7/10/2018</b>	3. Change Num: <b>C4</b>	4. Field Office: <b>4</b>	5. GMD: <b>3</b>
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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: <b>2/20/2018</b>
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8a. Applicant & Landowner                      Person ID **55887**  
 New to system                       Add Seq# \_\_\_\_\_

**HIGH PLAINS PONDEROSA DAIRY LLC**  
**2042 V RD**  
**PLAINS KS 67869-9190**

8d. Landowner(s)                                      Person ID **41327**  
 New to system                                       Add Seq# \_\_\_\_\_

**ORMISTON TRUST OF 1992**  
**ROCK ORMISTON**  
**303 MAIN ST**  
**KISMET KS 67859-9612**

8b. Landowner(s)                                      Person ID **22628**  
 New to system                                       Add Seq# \_\_\_\_\_

**CARL RAY & ZITA BOND**  
**125 W 590 TH AVE**  
**GIRARD KS 66743-2380**  
**Address update**

8e. Landowner(s)                                      Person ID **51897**  
 New to system                                       Add Seq# \_\_\_\_\_

**SOUTHWEST AGRI-CENTER INC**  
**ROCK ORMISTON**  
**303 MAIN ST**  
**KISMET KS 67859-9612**

8c. Landowner(s)                                      Person ID **66143**  
 New to system                                       Add Seq# \_\_\_\_\_

**ROCK A & STEPHANIE L ORMISTON II**  
**PO BOX 43**  
**KISMET KS 67859-0043**

8f. WUC & owner                                      Person ID **63023**  
 New to system                                       Add Seq# \_\_\_\_\_

**PARITY INVESTMENTS INC**  
**303 MAIN**  
**KISMET KS 67859-9612**

9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: **12/31/2018**     N & P Date to Comply: \_\_\_\_\_

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: \_\_\_\_\_

8g. Landowner(s) Person ID **62955**  
 New to system    Add Seq# \_\_\_\_\_

**ORMISTON DESCENDANTS TRUST**  
**ROCK ORMISTON**  
**303 MAIN ST**  
**KISMET KS 67859-9612**

Date Prepared: **6/26/18**    By: **LI**  
 Date Entered: **7/10/2018**    By: **CCM**

**Note Person ID 26691 ROCK ORMISTON HAS NO INDEPENDENT OWNERSHIP WITH THE REFERENCED FILES.**

File No. **43635**      11. County: **SW**      Basin: **CIMMARON RIVER**      Stream: **NA**      Formation Code: **211**      Special Use: **NA**

12. Points of Diversion  
 Rate and Quantity  
 Authorized      Additional  
 Rate      Quantity      Rate      Quantity  
 gpm/cfs      af/mgy      gpm/cfs      af/mgy      Overlap PD Files

**NO CHANGE**

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) **NONE - NO CHANGE**

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

16. Place of Use CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
DEL	54685	18	33	30W	4													30.5	30.5	30.5	30.5	122	8a	NO	***
ENT	68988	7	33	30W										40.0	L-3 38.22	L-4 21.38	22.40					122	8a	NO	***
CHK	14978	28	33	31W	1													24.0	24.0	35.0	35.0	118	8e	NO	***
CHK	34851	33	33	31W	1	33.0	33.0	30.5	30.5													127	8e	NO	***
CHK	54686	24	33	31W	2	18	12	31	31													92	8c & 8e	NO	***
CHK	4608	23	33	31W	1									32.5	32.5	32.5	32.5	32.5	32.5	32.5	32.5	260	8e	NO	***
CHK	64203	35	33	31W	2									30.75	30.75	30.75	30.75					123	8f	NO	***

Base Acres:      Year:      Minimum Reasonable Quantity:      Comments: **\*\*\*ALL FILES MAINTAIN THE COMPLETE PU OVERLAP**

**22306 26247 40445 41192 41578 41579 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295**

File No. <b>43635</b>	11. County: <b>SW</b>	Basin: <b>CIMARRON RIVER</b>	Stream:	Formation Code: 211	Special Use:
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16. Place of Use CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
CHK 52730	25	33	31W	3										30.75	30.75	30.75	30.75					123	8f	NO	***
CHK 29418	36	33	31W	2		30.75	30.75	30.75	30.75													123	8f	NO	***
CHK 32981	31	33	30W	1						30.75	L-1 30.75	L-2 30.75	30.75									123	8f	NO	***
CHK 51981	34	33	31W	2						27.5	27.5	27.5	27.5									110	8f	NO	***
MOD 51385	27	33	31W	1		31.5	31.5	31.5	31.5									31.25	31.25	31.25	31.25	251	8e	NO	***
MOD 51386	27	33	31W	2										31.25	31.25	31.25	31.25					125	8f	NO	***
CHK 52315	34	33	31W	3		30.75	30.75	30.75	30.75													123	8b	NO	***
CHK 52729	35	33	31W	1		30.75	30.75	30.75	30.75	30.75	30.75	30.75	30.75									246	8f	NO	***
MOD 65406	31	33	30W	5										30.75	L-3 30.75	L-4 30.75	30.75					123	8a	NO	*** ADD LTS
CHK 30730	19	33	30W	1		14.5	34.0	40.0	34.0	34.0	L-1 14.5	L-2 34.0	40.0	40.0	L-3 34.0	L-4 14.5	34.0	34.0	40.0	34.0	14.5	490	8a	<del>NO</del>	***
CHK 50349	24	33	31W	1						30.75	30.75	30.75	30.75									123	8f	NO	***
CHK 4455	30	33	30W	1						30.75	L-1 30.75	L-2 30.75	30.75									123	8a	NO	***
CHK 34792	13	33	31W	1						32.5	32.5	32.5	32.5					14.5	34.0	40.0	34.0	252.5	8g & 8d	NO	***
CHK 40010	13	33	31W	2										34.0	14.5	34.0	40.0					122.5	8c	NO	***
<del>CHK 14978</del>	<del>28</del>	<del>33</del>	<del>31W</del>	<del>1</del>														24.0	24.0	35.0	35.0	118	<del>8e</del>	<del>NO</del>	<del>***</del>

on 1st sheet

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**

**MEMORANDUM**

**TO:** File

**DATE:** July 2, 2018

**FROM:** Leslie Ireland

**RE:** Water Right, File Nos. 22,306; 26,247; 40,445; 41,192; 41,578; 41,579; 41,580; 41,581; 42,084; 42,110; 42,708; 43,082; 43,105; 43,220; 43,333; 43,635; 43,880; 44,248; 44,945; 44,946 & 45,295

David Clawson on behalf of High Plains Ponderosa Dairy LLC and Rock Ormiston on behalf of Southwest Agri-Center Inc.; Parity Investments Inc.; Ormiston Trust of 1992; The Ormiston Decedents Trust et al., and Rock Alan & Stephanie L. Ormiston II, along with Carl Ray & Zita Bond as owners submitted applications on February 20, 2018, to change the irrigated place of use. The applications were requested due to the expansion of the stockwatering use at the dairy under File Nos. 12,332 & 45,387, which proposed to operate in an area authorized by the referenced files. After the initial completion, the project was delayed for the certification of the most junior rights.

The referenced water rights appear to be in compliance with K.S.A. 82a-732 and the applications comply with K.A.R. 5-5-2a, with updates to the ownership. The property held by Oleta Lepper Estate has transferred to Carl Ray and Zita Bond. The property held by Edna M. Sites Estate has transferred to Rock & Stephanie L. Ormiston II, the son and daughter-in-law of Rock & Stephanie R. Ormiston. Additionally, a longtime ownership issue with Parity and Southwest Ag in the Southeast of Section 27 has been updated.

The referenced files are authorized to irrigate twenty (20) quarter-mile pivots, two (2) half-mile pivots, comprised of one (1) full section and one (1) half-mile section. The place of use is located in Township 33, and in Ranges 30 to 31 West, in Meade and Seward counties, for a total of 3,300 irrigated acres. The change in place of use will remove the quarter section pivot of 123 acres, located in the Southeast Quarter of Section 18, with 122 acres added in the Southwest Quarter of Section 7, all in Township 33, Range 30 West, Seward County. The original proposed acres were a pivot, but on January 11, 2018, David Clawson on behalf of High Plains Ponderosa Dairy LLC, owner of the authorized and proposed, modified the acres to a rectangular place of use to allow a portion of the place of use to be utilized for another purpose. The base acres were determined by Thom Makens, Assistant Manager of the Garden City Field Office to be 3,315 acres, due to a previous reduction for the dairy. The 3,300 authorized and proposed complies with part (b) of K.A.R. 5-5-11, *Applications for change in place of use for irrigation purposes*. No increase in the consumptive should occur thus complying with K.A.R. 5-5-3, *Change in consumptive use*.

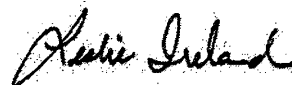
The actual location of the wells authorized under File Nos. 26,247; 41,579; 41,581; 42,708; 43,082 and 44,946, have been determined by GPS protocol during Compliance Investigations. The updated locations were found to be within 300 feet of the authorized locations and will updated by the approvals.

In a letter dated April 16, 2018, Jason Norquest, Assistant Manager, Southwest Kansas Groundwater Management District No. 3, recommend approval of the applications.

Michael Meyer, Water Commissioner of the Garden City Field Office area reviewed the proposed applications. In an email dated April 27, 2018, he recommended approval of the change applications.

Water flowmeters will be required for the change approval as new acres will be irrigated. The water use correspondent will remain Parity Investments Inc., for all of the referenced files. A check valve will be required, if chemigating. As no new wells will be drilled a water level measurement tube and WWC-5 will not be a condition of the approvals.

Based on the above discussion, that the change to the place of use authorized by all of the referenced files will maintain the complete overlap with no increase in the historical consumptive use with no impairment to existing water rights and no change in the local source of supply will occur, it is recommended that the referenced applications be approved.



Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

STATE OF KANSAS



DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777

900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

HIGH PLAINS PONDEROSA DAIRY LLC      July 12, 2018  
DAVID CLAWSON  
2042 V RD  
PLAINS KS 67869

**FILE COPY**

RE:    Water Right, File Nos. 22,306; 26,247; 40,445; 41,192; 41,578; 41,579; 41,580; 41,581;  
       42,084; 42,110; 42,708; 43,082; 43,105; 43,220; 43,333; 43,635; 43,880; 44,248;  
       44,945;  
       44,946 & 45,295

Dear Mr. Clawson:

Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of the approvals is that an acceptable water flowmeter must be installed on the diversion works authorized under the referenced files. Records in this office indicate that meters are installed on the authorized points of diversion. If a meter has been replaced you must contact our staff at the Garden City Field Office at (620) 276-2901.

Since these orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

Please be reminded that reports of water usage must be submitted to this office annually. Records indicating the amount of water used should be furnished to the Chief Engineer by March 1 following the end of the previous calendar year so that the continued use of water becomes a matter of record in this office. The owner, or his or her legally designated agent, is held responsible for submitting annual water use reports. Failure to file an accurate water use report is a violation of law which makes you subject to civil penalties.

RE: File Nos. 22,306; 26,247; 40,445; 41,192; 41,578;  
41,579; 41,580; 41,581; 42,084; 42,110; 42,708; 43,082;  
43,105; 43,220; 43,333; 43,635; 43,880; 44,248; 44,945; 44,946 & 45,295

If you have any questions, please contact Leslie Ireland, Environmental Scientist, at (785) 564-6633, or 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 A. Turney, P.G.  
Change Applications Unit Supervisor

BAT:LI

Enclosures

pc: Garden City Field Office  
Groundwater Management District No. 3  
Carl Ray & Zita Bond  
Rock Ormiston  
Rock A & Stephanie L. Ormiston II



**KANSAS DEPARTMENT OF AGRICULTURE**  
 Jackie McClaskey, Secretary of Agriculture

**DIVISION OF WATER RESOURCES**  
 David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION  
 FOR  
 CHANGE IN PLACE OF USE  
 WATER RIGHT, FILE NO. 43,635**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of David Clawson on behalf of High Plains Ponderosa Dairy LLC, 2042 V Road, Plains, Kansas 67869, Rock Ormiston on behalf of Ormiston Trust of 1992, The Ormiston Decedents Trust et al., Southwest Agri-Center Incorporated, and Parity Investments Incorporated, all of 303 Main Street, Kismet, Kansas 67859, Carl Ray and Zita Bond, 125 W 590 Avenue, Girard, Kansas 66743-2380, Rock A. and Stephanie L. Ormiston II, PO Box 43, Kismet, Kansas 67859-0043, received in the office of the Chief Engineer on February 20, 2018, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, as modified and amended by the Orders of the Chief Engineer dated December 31, 2012, and November 27, 2013, approving the applications to change the place of use, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the place of use shall be:

Sec. Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL
	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	Lot 3 34.00	Lot 4 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									123.0
31 33 30W					30.75	Lot 1 30.75	Lot 2 30.75	30.75	30.75	Lot 3 30.75	Lot 4 30.75	30.75					246.0

a total of 981 acres in Sections 7, 19, 30, and 31, all in Township 33 South, Range 30 West, Meade County, Kansas, and

Sec. Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL
	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	34.00	14.50	34.00	40.00	14.50	34.00	40.00	34.00	375.0
23 33 31W									32.50	32.50	32.50	32.50	32.50	32.50	32.50	32.50	260.0
24 33 31W	18.00	12.00	31.00	31.00	30.75	30.75	30.75	30.75									215.0
25 33 31W									30.75	30.75	30.75	30.75					123.0
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													24.00	24.00	35.00	35.00	118.0
33 33 31W	33.00	33.00	30.50	30.50													127.0
34 33 31W	30.75	30.75	30.75	30.75	27.50	27.50	27.50	27.50									233.0
35 33 31W	30.75	30.75	30.75	30.75	30.75	30.75	30.75	30.75	30.75	30.75	30.75	30.75					369.0
36 33 31W	30.75	30.75	30.75	30.75													123.0

a total of 2,319 acres in Sections 13, 23, 24, 25, 27, 28, 33, 34, 35 and 36,  
all in Township 33 South, Range 31 West, Seward County, Kansas,

located substantially as shown on the topographic map accompanying the application to change the place of use.

All diversion works into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.



In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 43,635, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated June 29, 2004, as modified and amended by the aforementioned orders.

**RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW**

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

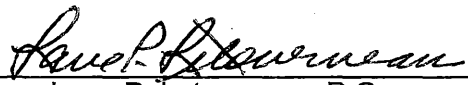
Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture; Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

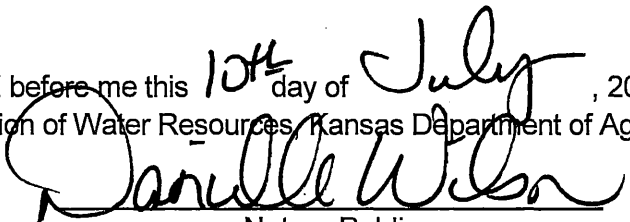
Ordered this 10<sup>th</sup> day of July, 2018, at Topeka, Shawnee County, Kansas.

  
 Lane P. Letourneau, P.G.  
 Program Manager  
 Division of Water Resources  
 Kansas Department of Agriculture

State of Kansas    )  
                           ) SS  
 County of Riley    )

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of July, 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



  
 Notary Public

**CERTIFICATE OF SERVICE**

On this <sup>12<sup>th</sup></sup> day *July*, 2018, I hereby certify that the attached Approval of Application for Change in Place of Use, Water Right, File No. 43,635 dated, *July 10<sup>th</sup>, 2018* was mailed postage prepaid, first class, US mail to the following:

High Plains Ponderosa Dairy LLC  
David Clawson  
2042 V Rd  
Plains, KS 67869

With true and correct copies to:

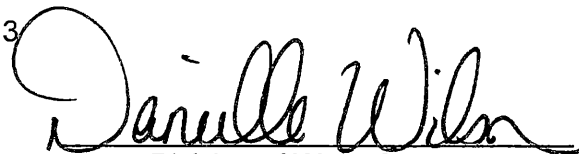
Rock Ormiston  
303 Main St  
Kismet, KS 67859

Carl Ray & Zita Bond  
125 W 590 Ave  
Girard, KS 66743-2380

Rock A. & Stephanie L. Ormiston II  
PO Box 43  
Kismet, KS 67859-0043

With photocopies sent to:

Garden City Field Office  
Groundwater Management District No. 3

  
Division of Water Resources

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
- Point of Diversion
- Use Made of Water

(Check one or more)

Water Resources  
Received  
FEB 20 2018  
1:35  
KS Dept Of Agriculture

File No. 43635

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: PARITY INVESTMENTS INC

Address: 303 MAIN

City, State and Zip: KISMET KS 67859

Phone Number: (650)563-7264 E-mail address: rock@swac.co

3. The change(s) proposed herein are desired for the following reasons (please be specific): \_\_\_\_\_

Relocation of existing pivot to accommodate stockwatering expansion.

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 IRIC Source G/S County SW By AW Date 2/20/18  
Code CPU Fee \$ 500 TR # \_\_\_\_\_ Receipt Date 2/20/18 Check # 44186

APPLICATION COMPLETE

6/26/18  
Reviewer SL

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 41579 41580 41581 42084 42110 42708 43082 43105 43220 43333 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 41579 41580 41581 42084 42110 42708 43082 43105 43220 43333 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					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 41579 41580 41581 42084 42110 42708 43082 43105 43220 43333 43880 44248 44945 44946 45295

SEE ADDITIONAL LISTINGS ON SUPPLEMENTAL SHEET

Water Resources  
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FEB 20 2018

APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
**FILE NO. 43635**  
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 41579 41580 41581 42110 42084 42708 43082 43015 43220 43333 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 22306 26247 40445 41192 41578 41579 41580 41581 42110 42084 42708 43082 43015 43220 43333 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 41579 41580 41581 42110 42084 42708 43082 43015 43220 43333 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 41579 41580 41581 42110 42084 42708 43082 43015 43220 43333 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	
18	33	30W													30.50	30.50	30.50	30.50	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	Lot 3 14.50	Lot 4 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 41579 41580 41581 42110 42084 42708 43082 43015 43220 43333 43880 44248 44945 44946 45295

Water Resources  
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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														376.0
28	33	31W																		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 41579 41580 41581 42110 42084 42708 43082 43015 43220 43333 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 41579 41580 41581 42110 42084 42708 43082 43015 43220 43333 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	252.05*

List any other water rights that cover this place of use. 22306 26247 40445 41192 41578 41579 41580 41581 42110 42084 42708 43082 43015 43220 43333 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 41579 41580 41581 42110 42084 42708 43082 43015 43220 43333 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 266, GIRARD KS 66743 b) SAME AS a) 126 W 590TH AVE #

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 41579 41580 41581 42110 42084 42708 43082 43015 43220 43333 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	38.22	21.38	22.40	122.0
19	33	30W	14.50	34.00	40.00	34.00	34.00	14.50	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 41579 41580 41581 42110 42084 42708 43082 43015 43220 43333 43880 44248 44945 44946 45295

\* LI/DWL 3/19/18

Water Resources  
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FEB 20 2019  
 File No. 43635

- 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) \_\_\_\_\_  
(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:  
**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 \_\_\_\_\_

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

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

Resources Received

FEB 20 2018

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KS Dept Of Agriculture

12. The presently authorized use of water is for NO CHANGE purposes.  
 It is proposed that the use be changed to \_\_\_\_\_ purposes.
13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.  
RIGHTS HAVE DEVELOPED 3315 BASE ACRES AT THE TIME OF FILLING. THE REQUESTED APPLICATIONS  
TO CHANGE THE PLACE OF USE WILL AUTHORIZED 3300 ACRES, SO THE REQUESTED CHANGES COMPLY WITH  
KAR 5-5-11, APPLICATIONS FOR CHANGE IN PLACE OF USE FOR IRRIGATION PURPOSES.
- 
- 

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to \_\_\_\_\_ (acre-feet or million gallons).
15. It is requested that the maximum rate of diversion of water be reduced to \_\_\_\_\_ gallons per minute (\_\_\_\_ 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](http://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.
- a. If a change in the location of the point(s) of diversion is proposed, show:
    - 1) 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.
    - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 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 1/2 mile, please indicate so on the map.
    - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
  - b. 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 WELLS WILL BE MOVING AND THERE WILL BE NO INCREASE IN IRRIGATED ACRES BEYOND THE  
CURRENTLY AUTHORIZED.

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.
- 
- 

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

Received

**FEB 20 2019**

**SCANNED**

**KS Dept Of Agriculture**



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.

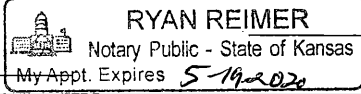
I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application 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 Plains, Kansas, this 5<sup>th</sup> day of February, 20 18.

<u>David Clawson</u> (Owner)	_____	(Spouse)
<u>David Clawson</u> (Please Print)	_____	(Please Print)
<u>Rock Ormiston</u> (Owner)	_____	(Spouse)
<u>ROCK ORMISTON</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)

State of Kansas }  
County of Miami } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 5<sup>th</sup> day of February, 20 18.

My Commission Expires 5-19-2020  Ryan R  
Notary Public

**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

Make check payable to **Kansas Department of Agriculture.**

Water Resources  
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**FEB 20 2018**  
**SCANNED**  
KS Dept Of Agriculture

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 Kismet, Kansas, this 12<sup>th</sup> day of March, 20 18.

[Signature]  
(Owner)

[Signature]  
(Spouse)

Rock Ormiston II  
(Please Print)

Stephanie Ormiston  
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

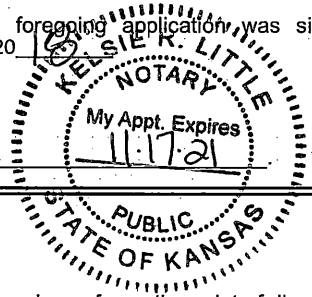
(Spouse)

(Please Print)

(Please Print)

State of Kansas }  
County of Seward } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 12<sup>th</sup> day of March, 20 18.



[Signature]  
Notary Public

My Commission Expires \_\_\_\_\_

**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

Make check payable to **Kansas Department of Agriculture.**

Water Resources  
Received

MAR 19 2018

KS Dept Of Agriculture **SCANNED**

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 Mauch, Kansas, this 27 day of March, 2018.

Carl Ray Bond  
(Owner)

Zita Bond  
(Spouse)

Carl Ray Bond  
(Please Print)

Zita Bond  
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }  
County of Crawford } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 27th day of March, 2018.

Carla L. Bryan  
Notary Public

My Commission Expires 12-10-2020

**FEE SCHEDULE**

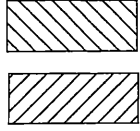
Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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

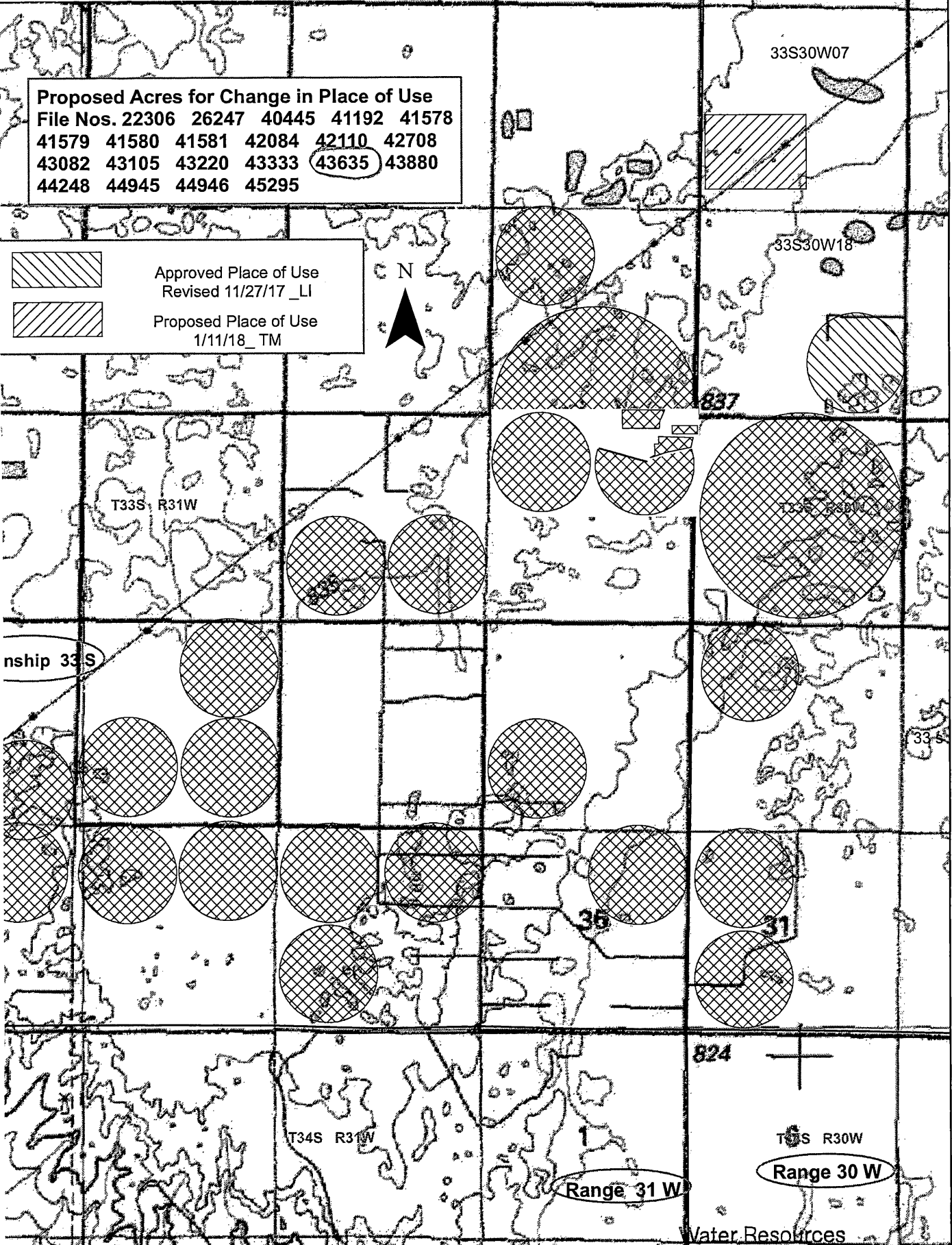
Make check payable to **Kansas Department of Agriculture.**

Water Resources  
Received  
**MAR 29 2018**  
SCANNED  
KS Dept Of Agriculture

Proposed 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  
 Revised 11/27/17\_LI  
 Proposed Place of Use  
 1/11/18\_TM



Received

FEB 20 2018

KS Dept Of Agriculture

SCANNED

**Ireland, Leslie [KDA]**

---

**From:** Meyer, Mike [KDA]  
**Sent:** Friday, April 27, 2018 8:36 AM  
**To:** Ireland, Leslie [KDA]  
**Subject:** RE: Recommendation for changes in PU File Nos.12332x STK & 22306xxx IRR\_ Clawson Ormiston

Yes approve

*Mike*

---

**From:** Ireland, Leslie [KDA]  
**Sent:** Friday, April 27, 2018 8:03 AM  
**To:** Meyer, Mike [KDA] <Mike.Meyer@ks.gov>  
**Subject:** FW: Recommendation for changes in PU File Nos.12332x STK & 22306xxx IRR\_ Clawson Ormiston

Mike,

Could you please let me know if you could recommend the PU Changes for this project

As always comments and concerns are welcome

Leslie Ireland, Environmental Scientist II  
Kansas Department of Agriculture  
Division of Water Resources - Change Unit  
(785) 564-6633  
[Leslie.Ireland@ks.gov](mailto:Leslie.Ireland@ks.gov)  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

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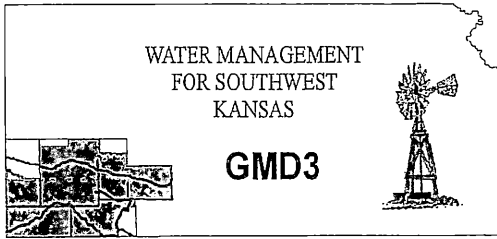
**From:** Ireland, Leslie [KDA]  
**Sent:** Thursday, April 26, 2018 12:21 PM  
**To:** Meyer, Mike [KDA] <Mike.Meyer@ks.gov>  
**Subject:** Recommendation for changes in PU File Nos.12332x STK & 22306xxx IRR\_ Clawson Ormiston

Mike,

Please let me know if you could recommend these changes.

As always comments and concerns are welcome.

Leslie Ireland, Environmental Scientist II  
Kansas Department of Agriculture  
Division of Water Resources - Change Unit  
(785) 564-6633  
[Leslie.Ireland@ks.gov](mailto:Leslie.Ireland@ks.gov)  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)



**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 16, 2018

Leslie Ireland  
Kansas Department of Ag  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

**Water Resources  
Received**

**APR 19 2018**

**KS Dept Of Agriculture**

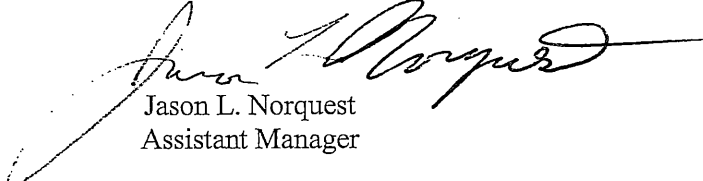
RE: Application for Change in place of Use  
Water Right, File Nos. 22306, 26247, 40445, 41192, 41578, 41579, 41580, 41581, 42084, 42110,  
42708, 43082, 43105, 43220, 43333, 43635, 43880, 44248 & 44945  
Appropriations of Water, File Nos. 44946 & 45295

Dear Leslie:

We have completed a review of the applications for the above referenced water rights. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The request for change in place of use maintains the complete overlap and is within their base acres criteria set for in K.A.R. 5-5-11. It is therefore recommended that the application 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

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 30, 2018

SOUTHWEST KANSAS GROUNDWATER  
MANAGEMENT DISTRICT NO 3  
ATTN MARK RUDE  
2009 E SPRUCE  
GARDEN CITY KS 67846

EMAIL: [Norquest@gmd3.org](mailto:Norquest@gmd3.org)

Re: Change in Place of Use Applications,  
Water Right, File Nos. 22,306; 26,247; 40,445; 41,192; 41,578; 41,579; 41,580; 41,581;  
42,084; 42,110; 42,708; 43,082; 43,105; 43,220; 43,333; 43,635; 43,880; 44,248; 44,945  
Appropriations of Water File Nos. 44,946 & 45,295

Dear Mr. Rude:

Due to the volume of this package of applications and that they are proposing only a slight modification of the place of use yet maintain the complete overlap in irrigated acres, we are providing by email an electronic copy of the applications referred to above which appear to be in proper form.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendations concerning the applications.

Please submit your recommendations within the allotted time, or any authorized extension of time thereof.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

LI:li  
Enclosures

pc: Garden City Field Office

SCANNED

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 21, 2018

CARL RAY & ZITA BOND  
125 W 590<sup>th</sup> AVE  
GIRARD KS 66743 -2380

RE: Change in Place of Use Applications,  
Water Right, File Nos. 22,306; 26,247; 40,445; 41,192; 41,578; 41,579; 41,580; 41,581;  
42,084; 42,110; 42,708; 43,082; 43,105; 43,220; 43,333; 43,635; 43,880; 44,248 & 44,945  
Appropriations of Water File Nos. 44,946 & 45,295

Dear Mr. & Mrs. Bond:

Reference is made my letter of March 12, 2018, and the email of Rock Ormiston informing us of your address change and that ownership has transferred solely to you. Enclosed please find a copy of the March 12, 2018 letter and new pages for the needed notarized signatures.

Please be reminded you will need to **return only the original signature pages**, the enclosed copy of the application is for your files, and upon completion of the paperwork you will received copies of the final documents.

Due to the missing mail of the March 12, 2018 letter, the deadline for filing your original notarized signature pages must be received in this office on or before **April 11, 2018**. According to law, default in the refiling of the requested information as outlined above within the time allowed or any authorized extension of time, shall cause dismissal of the applications for change under the above referenced file numbers. Should you need additional time please give me a call at (785) 564-6633 or email, to Leslie.Ireland@ks.gov.

The Rules and Regulations of the Kansas Water Appropriation Act works may be found on the Kansas Department of Agriculture web site, <http://www.agriculture.ks.gov/dwr>. If you have any questions, please do not hesitate to give me a call.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

LI:li

Enclosures

pc: Garden City Field Office  
Groundwater Management District No. 3

Epc: Rock Ormiston

SCANNED



**Ireland, Leslie [KDA]**

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**From:** Rock Ormiston <rock@swac.co>  
**Sent:** Saturday, March 10, 2018 3:18 PM  
**To:** Ireland, Leslie [KDA]  
**Cc:** ryan@clawsonoffice.com  
**Subject:** Re: 22306-45295 Irrigation changes in Place of Use

Leslie,

Does Stephanie and the Bond's need to sign all 21 or just their individual applications for the land they are associated with? Also, I assume you are referring to Stephanie L Ormiston which is my Sons wife, and not Stephanie R Ormiston, which is my wife.. I know, very confusing but my Son Rocky married a Stephanie as well.

Rock Ormiston  
303 Main  
Kismet, Kansas 67859

Rock ORMISTON II

Rock@swac.co

620 563 7264 office  
620 629 3978 cell

SCANNED

On Thu, Mar 8, 2018 at 10:59 AM, Ireland, Leslie [KDA] <Leslie.Ireland@ks.gov> wrote:

We've received the applications. My review found several other signatures are needed.

Stephanie Ormiston for acres in sections 13 & 24.

Oleta A Lepper Estate, Zita Bond – DPOA, along with Carl Ray & Zita Bond for section 34

Attached are signature pages that can be printed and signed in the presence of a notary. Please send the originals to:

Kansas Department of Agriculture  
Chief Engineer, Division of Water Resources  
1320 Research Park Drive  
Manhattan, KS 66502

**Ireland, Leslie [KDA]**

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**Subject:** FW: PARITY INVESTMENTS INC HIGH PLAINS PONDEROSA DAIRY LLC SITES ORMISTON  
DESCENDANTS TRUST SOUTHWEST AGRI-CENTER INC

Please add this email to as Base Acre Determination for File Nos. 22306 26247 40445 41192 41578 41579 41580  
41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

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**From:** Makens, Thom  
**Sent:** Wednesday, November 15, 2017 4:17 PM  
**To:** Ireland, Leslie <Leslie.Ireland@ks.gov>  
**Subject:** FW: PARITY INVESTMENTS INC HIGH PLAINS PONDEROSA DAIRY LLC SITES ORMISTON DESCENDANTS TRUST  
SOUTHWEST AGRI-CENTER INC

good afternoon. 3315 base acres.

Thom Makens

KDA-DWR  
2508 John St  
Garden City KS 67846-2804

---

**From:** Meyer, Mike  
**Sent:** Wednesday, November 15, 2017 8:22 AM  
**To:** Ireland, Leslie <Leslie.Ireland@ks.gov>  
**Cc:** Makens, Thom <Thom.Makens@ks.gov>  
**Subject:** RE: PARITY INVESTMENTS INC HIGH PLAINS PONDEROSA DAIRY LLC SITES ORMISTON DESCENDANTS TRUST  
SOUTHWEST AGRI-CENTER INC

Thom confirm the base for leslie, we should already have that.

*Mike*

1320 Research Park Drive  
Manhattan, Kansas 66502  
785-564-6700



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

Secretary Jackie McClaskey

Governor Jeff Colyer, M.D.

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

February 28, 2018

RE: File No 43635

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
- 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,

A handwritten signature in cursive script that reads "Brent A. Tourney".

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

BAT: DLW  
pc: GARDEN CITY Field Office    GMD3