

# 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.

WATER RESOURCES RECEIVED

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 TERM PERMIT

- GROUNDWATER
  - SURFACE WATER
- (check one)

UNACCEPTABLE FOR PRIORITY  
 DEC 21 2020  
 DEPT OF AGRICULTURE  
 State of Kansas

KS DEPT OF AGRICULTURE  
 STATUTORY FILING FEE MUST ACCOMPANY THIS APPLICATION  
 (Make check payable to the Kansas Department of Agriculture)

20209092

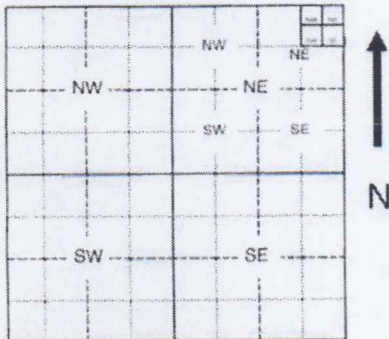
1. Applicant: (Please print or type)  
 Name HIGH PLAINS PONDEROSA DAIRY LLC  
 Street 2042 V RD  
 City and State PLAINS KS  
 Zip Code 67896 Telephone No. ( )  
 E-Mail Address \_\_\_\_\_  
 Social Security I.D. No. \_\_\_\_\_  
 and/or Taxpayer I.D. No. \_\_\_\_\_

2. Location of Point of Diversion:  
 Sec. 19, Twp. 33S, Rng. 30W, (E/W),  
MEADE County, Kansas.

Distance from Southeast Corner of Section:  
3787 feet North from Southeast Corner  
4550 feet West from Southeast Corner

NOTE: If point of diversion is not site specific (i.e. groundwater pit) show the approximate geographic center.

3. Water Use Data:  
 Proposed Max. Pumping Rate (gpm) 500 GPM  
 Amount Requested (acre-feet) 32.585 MGY (100 AF)  
 per calendar year  
 Depth of Well (feet) \_\_\_\_\_  
 Date (completed) (will be completed) \_\_\_\_\_  
 Drainage Basin CROOKED CREEK  
 Name of Stream \_\_\_\_\_



4. Water is to be used for (briefly describe proposed use and explain the rate and quantity requested):  
STK USE TO COVER WELL UNTIL END OF YEAR  
OFFSET FROM WR# 41580

5. Location of place of use:  
STK USE AT DAIRY (W2) & (SE) 18-33S-30W

6. Period of use:  
 Commencing date: 12/3/2020  
 Ending Date: 12/31/2020 Also enter on Item 12

If off-stream pit, check here   
 Will pit floor intersect water table? Yes  No

7. Location of the proposed point of diversion and those of other water users within 1/2 mile shall be indicated on the diagram to the lower-left, scale 1 inch = 2,000 feet. If surface water, indicate on the diagram the course of the stream, and its name. List other D.W.R. permit numbers that cover the requested point(s) of diversion or place of use here:  
 PD OVERLAP: 45387  
 PU OVERLAP: 12332; 41578; 41579; 41580; 45387

FEE SCHEDULE

1. The filing fee for an application is based on the maximum amount of water use proposed within a year. Except for storage, the fee is:

Acre-feet	Fee
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00

plus \$20 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, is:

Acre-feet	Fee
0-250	\$200.00
More than 250	\$200.00

plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

NOTE: If an application requests both direct use and storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

- 3. A request for an extension of time to extend the term of a term permit shall be accompanied by a fee of \$100.00.
- 4. There is a separate application form for domestic use. Do not use this form for domestic use.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons  
 1 million gallons equal 3.07 acre-foot

Assisted by AM/GCFO

For Office Use Only:  
 F.O. 4 GMD 3 Meets K.A.R. 5-3-1 (YES/NO) Use STK Source G/S County ME By BMM Date 12/22/20  
 Code TRP Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 12-7-2020 Check # 60533

SCANNED



DEC 21 2020

KS DEPT OF AGRICULTURE

8. For groundwater use, list below all wells within 1/2 mile of the proposed well, and plot locations upon the diagram on reverse side. If additional space is needed, attach a map.

Other wells -

Well A Owner(s): WR# 45387 - OWNED BY APPLICANT  
Address: \_\_\_\_\_

Well B Owner(s): WR# 44946 - ROCK A & STEPHANIE K ORMISTON II  
Address: PO BOX 43 KISMET KS 97859 - 0043

9. For surface water use, list below the names and addresses of all landowners from a point 1/2 mile upstream to a point 1/2 mile downstream of the tract of land upon which the point of diversion is located. If additional space is needed, attach sheet.

Tract A Owner(s): \_\_\_\_\_  
Address: \_\_\_\_\_

Tract B Owner(s): \_\_\_\_\_  
Address: \_\_\_\_\_

10. The owner of the point of diversion, if other than the applicant is (please print):

SAME AS APPLICANT  
(name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on Dec 17, 2020. GA  
Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

11. The applicant states that the information set hereon is true and accurate to the best of his/her knowledge.

12. The applicant agrees to waive any right to a hearing on the matter of abandonment of this appropriation right and further agrees that this appropriation right may be dismissed and terminated upon completion of the proposed project, said dismissal date to be on DECEMBER 31, 2020 or within any extension of time authorized by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

13. The applicant agrees to provide water to nearby water users, at no charge to said users, should their rights to use water become impaired by the project proposed by this application.

14. Water use contact person (in event emergency contact is needed):

Name: Greg Bernard Telephone No. (620) 563-9441  
GA Signature of Applicant or Authorized Representative Date  
Greg Bernard Applicant's Name Printed Title

**DO NOT WRITE BELOW THIS LINE**

**CONDITIONS OF APPROVAL:**

The applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined. Accurate and complete records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date, shall cause the applicant to be subject to a civil penalty.

The use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

The Chief Engineer specifically retains jurisdiction in this matter with authority to make such reasonable reductions in the approved rate of diversion and quantity authorized, and such changes in other terms, conditions, and limitation set forth in this approval and permit to proceed as may be deemed to be in the public interest.

SCANNED

DEC 07 2020

UNACCEPTABLE FOR PRIORITY  
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, Secretary

Laura Kelly, Governor

December 29, 2020

High Plains Ponderosa Dairy  
2042 V Road  
Plains, KS 67896

Re: Unacceptable Application

Dear Whom it may concern

Returned herewith is your Application for Permit to Appropriate Water for Beneficial Use received by the Division of Water Resources on December 7, 2020 with Check No. 60533 in the amount of \$200. This application is not acceptable for filing in its present form.

Effective July 1, 2009, K.S.A. 82a-709 requires all applicants for new appropriation rights for the beneficial use of water in the State of Kansas to provide evidence of legal access to or control of the point of diversion from the landowner or the landowner's authorized representative. Applicants may provide a copy of a recorded deed, lease, easement or other document with the application. **In lieu of providing this documentary evidence, you may sign Paragraph No. 10 of the original permit application (where indicated), which constitutes a sworn statement.**

Upon return of the acceptable application with required original signatures and information, it will be assigned a priority based upon the date and time it is received in the office of the Chief Engineer. If you have any questions, please contact me at Brandon.M.Milner@ks.gov or our main line at 785-564-6640.

Sincerely,

Brandon Milner  
Environmental Scientist  
Water Appropriation Program



Submit To: CHIEF ENGINEER  
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Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, Kansas 66502  
<http://agriculture.ks.gov/dwr>

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3:54

KS DEPT OF AGRICULTURE



State of Kansas

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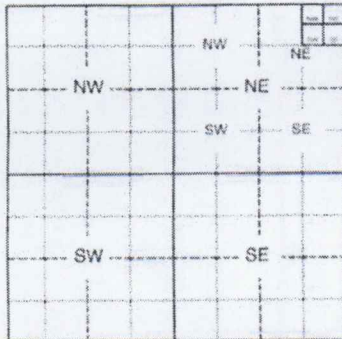
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E-Mail Address \_\_\_\_\_  
Social Security I.D. No. \_\_\_\_\_  
and/or Taxpayer I.D. No. \_\_\_\_\_

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For Office Use Only:  
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Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 12-7-2020 Check # 60533



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Executed on \_\_\_\_\_, 20\_\_\_\_. \_\_\_\_\_  
Applicant's Signature

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Name: Greg Bernhard Telephone No. (620) 563-9441

Greg Bernhard Signature of Applicant or \_\_\_\_\_ Authorized Representative \_\_\_\_\_ Date  
Applicant's Name Printed Title

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Unacceptable for Priority  
DEC 07 2020

KS DEPT OF AGRICULTURE

1320 Research Park Drive  
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785-564-6700  
www. agriculture.ks.gov



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

Mike Beam, Secretary

Laura Kelly, Governor

December 23, 2020

HIGH PLAINS PONDEROSA DAIRY LLC  
2042 V RD  
PLAINS KS 67896

RE: Application, File No(s). **20209092**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) for a permit to appropriate water for beneficial use. Your application(s) has been assigned the file number(s) referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application(s) and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation Act, the use of water as proposed prior to approval of the application(s) is unlawful.

Additional information about the process may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any other questions, please contact our office at 785-564-6640 or your local Garden City Field Office at 620-276-2901. *Garden City Field Office at 620-276-2901*. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Kris Neuhauser". The signature is written in a cursive style with a long horizontal flourish at the end.

Kris Neuhauser  
New Applications Lead  
Water Appropriation Program