

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

Document Signature LLP

1. File Number: 45387	2. Status Change Date: 7/13/2017	3. Change Num: C1	4. Field Office: 04	5. GMD: 03
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:
8a. Applicant(s) New to system <input type="checkbox"/> HIGH PLAINS PONDEROSA DAIRY LLC 2042 V RD PLAINS KS 67869		8c. Landowner(s) New to system <input type="checkbox"/> HIGH PLAINS PONDEROSA DAIRY LLC 2042 V RD PLAINS KS 67869		
8b. Landowner(s) New to system <input type="checkbox"/>		8d. WUC New to system <input type="checkbox"/> HIGH PLAINS PONDEROSA DAIRY LLC 2042 V RD PLAINS KS 67869		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/17 <input checked="" type="checkbox"/> N & P Date to Comply: 12/31/17				
<input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input checked="" type="checkbox"/> Water Tube <input checked="" type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: _____ To: _____				
Date Prepared: 6/7/2017 By: LI Date Entered: 7/13/2017 By: LLM				

File No. **45387** 11. County: **SW/ME** Basin: **CROOKED CREEK** Stream: **NA** Formation Code: 211 Special Use: **NA**

12. Points of Diversion										Rate and Quantity				
MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment	Authorized		Additional		Overlap PD Files
										Rate gpm	Quantity mgy	Rate gpm	Quantity mgy	
MOD	68301	SE SE SE	13	33	31W	2	594	8	STANDBY (SEWARD CO)					NONE
ENT	80231	NESW NW	19	33	30W		3787	4550	PRIMARY (MEADE CO)	500	130	500	130	NONE

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

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) **STANDBY WELL**
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

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

16. Place of Use T 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								
NO CHANGE																													

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: June 12, 2017

FROM: Leslie Ireland

RE: Appropriation of Water,
File No. 45,387

David Clawson on behalf of High Plains Ponderosa Dairy LLC has signed an application for approval to change the point of diversion under File No. 45,387, authorized for stockwatering use. The application was received in the office of the Chief Engineer on April 17, 2017.

The referenced Appropriation of Water could be considered to be in good standing as per K.S.A. 82a-718 and 82a-732, but changes in place of use appear to be needed. The pens appear to have been expanded into the Southeast Quarter of Section 18, in Township 33, Range 30 West, Meade County. The transmittal letter will inform the owner that it appears a change in place of use is needed.

The referenced file is authorized for 130 million gallons (400 AF) at a rate of 500 gallons per minute for stockwatering use in the Southwest (SW ¼) of Section 18, in Township 33, Range 30 West, Meade County from one point of diversion located in the SE¼ SE¼ SE¼ of Section 13, Township 33, Range 31 West, Seward County. The proposal is to have the currently authorized existing well which has been determined to be 594 feet North and 8 feet West of the Southeast corner of Section 13, to become a standby well and construct a new primary well approximately 2,300 feet to the Southeast in the NE SW NW of Section 19, approximately 3,787 feet North and 4,550 feet West of the Southeast corner of Section 19, in Township 33, Range 30 West Meade County. The requested change complies with part (b) of K.A.R. 5-23-3, *Minimum well spacing requirements: high plains aquifer* as the proposed well is less than 2,640 feet from the authorized.

A well log completed by Elite Irrigation Drilling from Liberal Kansas was submitted with the application. The test hole was completed to a depth of 525 feet to red tight clay, with blue shale encountered at 375 feet. The proposed well is not in the Ogallala High Chloride Area. A static water level was not indicated. It would appear this proposed well is in the same local source of supply, but a well log was not available for the currently authorized well, but a nearby log under File No. 40,445, appears to have similar strata layers. It would appear the proposed change will not alter the local source of supply.

The owner has indicated there are two(2) irrigation wells within one-half (½) mile of the proposed primary well and one(1) irrigation well within one-half (½) mile of the existing well that will become the standby well. The proposed and existing wells comply with the required well to well spacing for the quantities as detailed in part (a)(1) K.A.R. 5-23-3. One nearby well owner was sent a notice of the proposed change. No comments of any kind were received.

The proposed standby well will be required to be operated only then the primary well is inoperable. The propose existing standby well is consider to be in the Ogallala Formation, and it appears the proposed well is the same so there should be no change in the local source of supply. It appears the requested standby well meetings the requirements of K.A.R. 5-1-2 (c) *Standby wells*.

In a letter dated June 7, 2017, Jason Norquest, Assistant Manager, of the Southwest Kansas Groundwater Management District No. 3, indicated that the proposed change complies with their management program and recommended that the change in point of diversion be approved .

Mike Meyer, Water Commissioner of the Garden City Field Office, indicated in a June 8 2017, e-mail indicated that he has no objection to the approval of the proposed change to add a standby well for stockwatering use to the referenced file.

Water flowmeters are required on the "primary well" and "standby well", as per the requirements of K.A.R. 5-1-2 (b) **Standby wells**. Check valves will be required, if any chemical or foreign substance will be injected into the water through the diversion works. A water level measurement tube will be a condition of the approval, however a WWC-5 will not be required as it was submitted with the change.

Based on the above discussion, that the change is reasonable, that impairment to existing rights is unlikely, that there are no pending applications within the vicinity of this proposed change request that may be affected by this approval and that no change in the local source of supply will occur, it is recommended that the referenced application be approved.



Leslie Ireland
Environmental Scientist
Water Appropriation Program

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

July 14, 2017

FILE COPY

HIGH PLAINS PONDEROSA DAIRY LLC
DAVID CLAWSON
2042 V RD
PLAINS KS 67869

RE: Appropriation of Water, File No. 45,387

Dear Mr. Clawson:

Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approvals for change. A condition of the approvals is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number. Enclosed is a form which should be used to notify the Chief Engineer that the proposed diversion works have been completed. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

If you have any questions, please contract Leslie Ireland, Environmental Scientist, at (785) 564-6633. 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 black ink, appearing to read "Brent A. Turney".

Brent A. Turney, P.G.
Change Application Unit Supervisor

BAT:LI:li
Enclosures

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



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN POINT OF DIVERSION
APPROPRIATION OF WATER
FILE NO. 45,387**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of David Clawson, High Plains Ponderosa Dairy LLC, 2042 V Road, Plains, Kansas 67869, received in this office on April 17, 2017, for approval of a change in the location of the point of diversion under the Approval of Application, File No. 45,387, for permit to appropriate water for beneficial use, finds that the change is reasonable and will not impair existing rights, that the change relates to the same local source of supply 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 point of diversion shall be:

one (1) **primary well** located in the Northeast Quarter of the Southwest Quarter of the Northwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 19, more particularly described as being near a point 3,787 feet North and 4,550 feet West of the Southeast corner of said section, in Township 33 South, Range 30 West, Meade County, Kansas, and

one (1) **standby well** located in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 13, more particularly described as being near a point 594 feet North and 8 feet West of the Southeast corner of said section, in Township 33 South, Range 31 West, Seward County, Kansas,

located substantially as shown on the topographic map accompanying the application to change the point of diversion.

The well described herein as the standby well shall be used exclusively at such time well described herein as the primary well is inoperable due to mechanical, maintenance or power failure. That the primary and standby well shall not be operated at the same time, unless one of the wells is being operated for maintenance, testing, fire protection, or a similar reason. Use of the standby well under these limiting conditions does not allow the authorized quantity of water or rate of diversion under this file to be exceeded.

Installation of the works for diversion of water shall be completed on or before December 31, 2017 or within any authorized extension of time. The applicant shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

All wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this order shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

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 each of 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 Approval of Application, File No. 45,387, for permit to appropriate water for beneficial use, is as stated and set forth in the approval dated October 21, 2003.

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.

Dated at Manhattan, Kansas, this 13th day of July, 2017.

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

State of Kansas)
) SS
 County of Riley)

The foregoing instrument was acknowledged before me this 13th day of July, 2017, by Lane P. Letourneau, P.G., Program Manager, Water Appropriation Program, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson
 Notary Public


CERTIFICATE OF SERVICE

On this 14th day of July, 2017, I hereby certify that the attached Approval of Application for the Change in Point of Diversion for Appropriation of Water, File No. 45,387, dated July 13th, 2017, 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 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.

**WATER RESOURCES
RECEIVED**

APR 17 2017

**11:40
KS DEPT OF AGRICULTURE**

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)

File No. 45387

2. Name of applicant: HIGH PLAINS PONDEROSA DAIRY LLC

Address: 2042 V RD

City, State and Zip: PLAINS KS 67869

Phone Number: (620)563-9441 E-mail address: HPPOffice@hponderosa.com

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

Name of water use correspondent: HIGH PLAINS PONDEROSA DAIRY LLC

Address: 2042 V RD

City, State and Zip: PLAINS KS 67869

Phone Number: (620-563-9441) E-mail address: HPPOffice@hponderosa.com

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

The change(s) (was) (will be) completed by _____ (Date)

For Office Use Only:					
F.O. Code	<u>4</u>	GMD	<u>3</u>	Meets K.A.R. 5-5-1 (YES / NO)	<u>(YES)</u>
Use	<u>STK</u>	Source	<u>G/S</u>	County	<u>SN</u>
Fee \$	<u>200</u>	TR #		Receipt Date	<u>4/17/17</u>
				By	<u>AW</u>
				Date	<u>4/17/17</u>
				Check #	<u>40590</u>

APPLICATION COMPLETE
6/7/17
Reviewer LT

Assisted by: _____
4/18/2017 CLM **SCANNED**

4. The presently authorized place of use is:

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									Dairy	in	SW									

List any other water rights that cover this place of use. _____

Owner of Land — NAME: _____

ADDRESS: _____

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				

List any other water rights that cover this place of use. _____

(If there are more than two landowners, attach additional sheets as necessary.)

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

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									dairy	in	SW									

List any other water rights that cover this place of use. _____

Owner of Land — NAME: _____

ADDRESS: _____

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				

List any other water rights that cover this place of use. _____

**WATER RESOURCES
RECEIVED**

APR 17 2017

6. The presently authorized point(s) of diversion is one well
(Provide description and number of points)

7. The proposed point(s) of diversion (is) (are) 1 primary well and 1 standby well
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the se Quarter of the se Quarter of the se Quarter of Section 13, Township 33 South, Range 31 W, in Meade SEWARD* County, Kansas, 300 feet North 100 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. 2 GPS 594* feet North 8 feet West) 8/9/16
 This point will not be changed This point will be changed as follows: COMPLIANCE INVESTIGATION
Proposed point of diversion: (Complete only if change is requested) PRIMARY WELL*
 One in the ne Quarter of the sw Quarter of the nw Quarter of Section 19, Township 33 South, Range 30 W, in Meade County, Kansas, 3787 feet North 4550 feet West of Southeast corner of section.
 Proposed Rate 500 gpm Proposed Quantity 130 MG4 - 399 AF ~ 400
 This point is: Additional Well Geo Center List other water rights that will use this point primary well

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: STANDBY WELL*
Proposed point of diversion: (Complete only if change is requested)
 One in the se Quarter of the se Quarter of the se Quarter of Section 13, Township 33 South, Range 31 W, in Meade SEWARD* County, Kansas, 594 300 feet North 8 100 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 standby well NONE*

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. _____

WATER RESOURCES RECEIVED

PO. 500/412 23-300 * 15/1000 5/15/17
12,332 -

APR 17 2017 SCANNED

12. The presently authorized use of water is for stock purposes.

It is proposed that the use be changed to stock purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

na

(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). 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.

Old well to be the standby well. New well will be the primary well. All wells in area owned by the applicant.

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.

**WATER RESOURCES
RECEIVED**

APR 17 2017

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 14 day of April, 2017.

David Clausen
(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

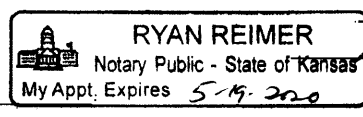
(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Meade } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 14th day of April, 2017.


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

Ryan Reimer
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

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

**WATER RESOURCES
RECEIVED**

APR 17 2017

SCANNED

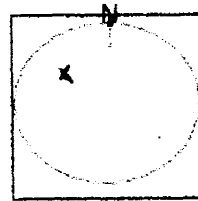
KS DEPT OF AGRICULTURE

Elite Irrigation & Drilling
 Inc. Ag Domestic Municipal

620-482-5157 580-716-8758

RR2 Box 2846 Turin, OK 73951

PO Box 1318
 Liberal, KS 67901



Customer High Plains Dairy LLC

Date 7-5-16

Address 2842 V RD

Test # 3 E-Log

City/State/Zip Plains KS, 67869

Driller Johnny

County Meade Quarter NE Section 19 Township 33S Range 38W

Location GPS: 37° 09' 956" / 100° 37.916

FOOTAGE			Description of Strata
From	Pay	To	
0		5	top soil
5		16	sand
16		35	white clay
35		100	sandy clay
100		176	sand clay mix
176		195	sand
195		222	sandy clay
222		261	medium sand loose
261		277	fine to medium sand some clay
277		348	medium sand
348		357	brown clay
357		375	sand clay mix
375		395	blue shale
395		418	fine medium sand
418		465	sandy clay mix
465		480	sandy clay brown
480		509	sand loose
509		525	red tight clay

WATER RESOURCES
 RECEIVED

APR 17 2017

KS DEPT OF AGRICULTURE

SCANNED

Elite Irrigation & Drilling
 Inc. Ag Domestic/Municipal

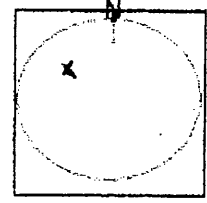
620-482-5157 580-716-8758

RR2 Box 284G Turpin, OK 73051

PO Box 1318
 Liberal, KS 67901



ELITE IRRIGATION & DRILLING



Customer High Plains Dairy LLC

Date 7-5-16

Address 2042 V RD

Test # 3 E-Log

City/State/Zip Plains KS, 67869

Driller Johnny

County Meade Quarter NE Section 19

Township 33S Range 38W

Location GPS: 37° 09' 956" / 100° 37.916

? DA TUM ???

FOOTAGE			Description of Strata
From	Pay	To	
0		5	top soil
5		16	sand
16		35	white clay
35		100	sandy clay
100		176	sand clay mix
176		195	sand
195		222	sandy clay
222		261	medium sand loose
261		277	fine to medium sand some clay
277		348	medium sand
348		357	brown clay
357		375	sand clay mix
375		395	blue shale
395		418	fine medium sand
418		465	sandy clay mix
465		480	sandy clay brown
480		509	sand loose
509		525	red tight clay

FILE COPY

WATER RESOURCES RECEIVED

CONVERSION OF DEG-MIN TO DEG.

APR 17 2017

60 | 09 3600 | 956 60 | 37 3600 | 916
 0.15 0.265556 0.61667 0.25444
 0.415556 LATITUDE = 37.415556 0.8711144

KS DEPT OF AGRICULTURE
 LONGITUDE 100.8711144
 SCANNED

Ireland, Leslie

From: Meyer, Mike
Sent: Thursday, June 8, 2017 2:36 PM
To: Ireland, Leslie
Subject: RE: Recommendation for Change in PD File No. 45387, High Plains Ponderosa Dairy

Please approve
thanks

Mike

From: Ireland, Leslie
Sent: Thursday, June 8, 2017 9:26 AM
To: Meyer, Mike <Mike.Meyer@ks.gov>
Subject: Recommendation for Change in PD File No. 45387, High Plains Ponderosa Dairy

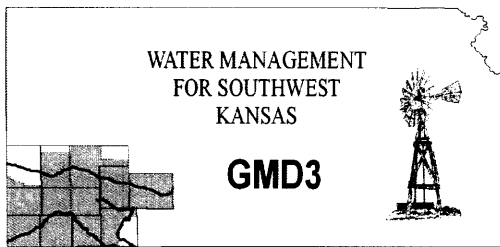
Mike,

Please let me know if you would recommend this change in PD to construct a new primary well and leave the old well as a standby for the stockwatering use as HPP Dairy.

The place of use needs updating and the transmittal letter will address this issue for the reference file and File No. 12,332.

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
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

June 7, 2017

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

WATER RESOURCES
RECEIVED

JUN 12 2017

RE: Application for Change in Point of Diversion
Water Appropriation, File No. 45387


KS DEPT OF AGRICULTURE

Dear Leslie:

We have completed a review of the application for the above referenced water right. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed distance moved and spacing to neighboring wells is met in accordance with K.A.R. 5-23-3. The applicant should understand the limits and expectations for a standby, proposed for the current well location, and make sure it is used in accordance with the regulations. Even though it is a standby well, spacing to neighboring wells is met. It is therefore recommended that the application be approved at this time.

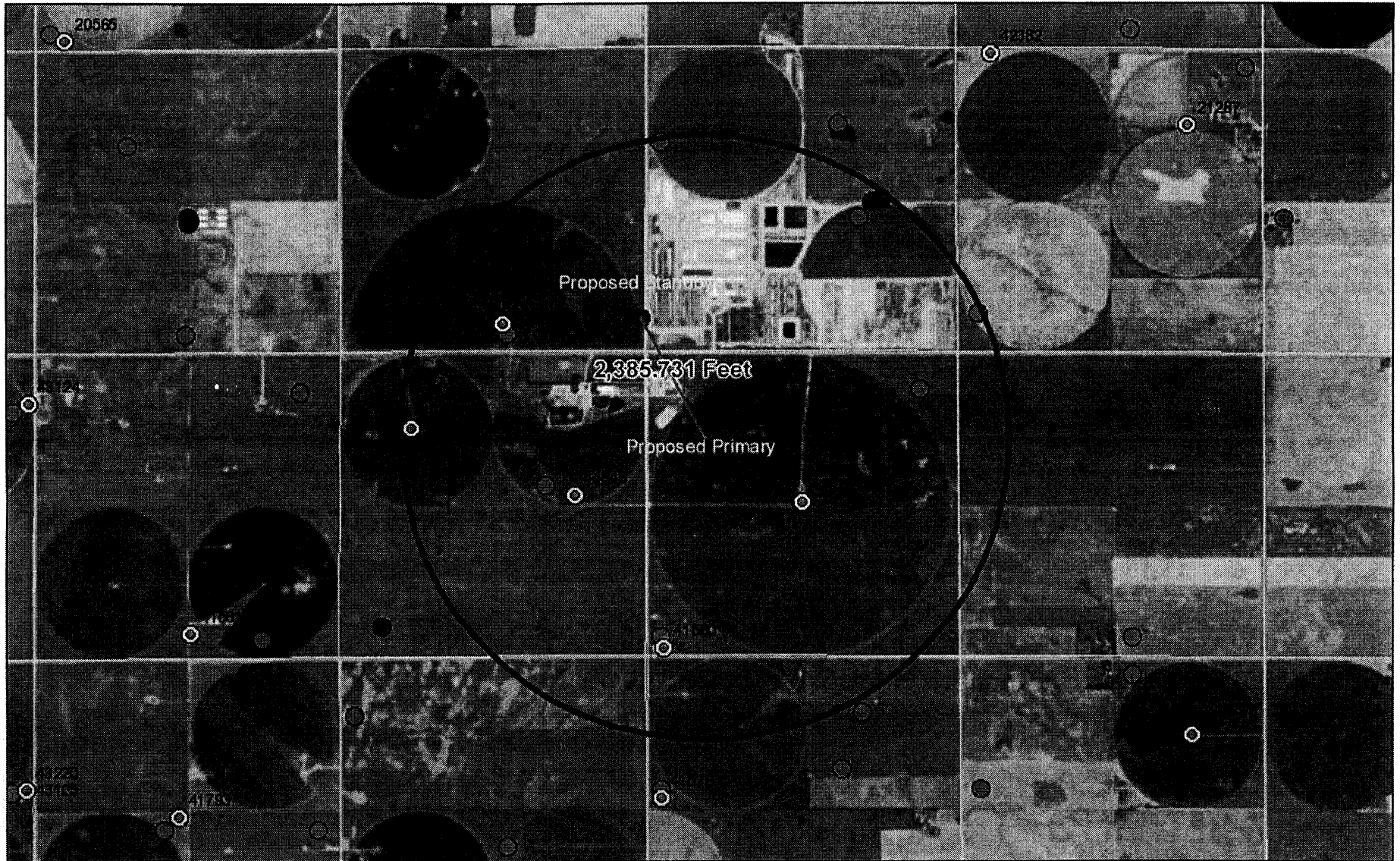
Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,



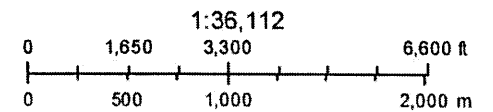
Jason L. Norquest
Assistant Manager

45387 Change



June 7, 2017

- Meters
- WWC5 WELLS GMD3
- Sections
- Wells
- WIMAS WELLS GMD3



Water Rights and Points of Diversion Within 1.00 miles of point defined as:


3787 ft N and 4550 ft W of the SE Corner of Section 19, T 33S, R 30W

Located at: 100.631931 West Longitude and 37.165934 North Latitude

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 12332 00	STK	NK	G	5230	--	--	CN	SE	2630	1330	18	33	30W	1		1400 286.94	286.94	AF
Same				5184	--	--	NE	NW	SE	2630	1405	18	33	30W	3	1400		
A__ 40445 00	IRR	NK	G	3889	--	--	SW	SW	SE	480	2400	13	33	31W	1	2300 520.00	520.00	AF
A__ 41578 00	IRR	NK	G	2124	--	--	NC	NC	2660	2750	19	33	30W	1		1400 141.00	141.00	AF
A__ 41580 00	IRR	NK	G	3694	--	--	--	--	140	5140	19	33	30W	2		2300 805.00	622.00	AF
A__ 42110 00	IRR	NK	G	3889	--	--	SW	SW	SE	480	2400	13	33	31W	1	2300 780.00	260.00	AF
A__ 42708 00	IRR	NK	G	4940	--	--	NC	NW	3940	3960	24	33	31W	1		1400 260.00	260.00	AF
A__ 44946 00	IRR	MM	G	2471	--	--	SW	SE	NE	2700	1250	24	33	31W	2	2300 999.00	399.30	AF
A__ 45387 00	STK	LR	G*	2081	--	--	SE	SE	SE	300	100	13	33	31W	2	1400 398.96	398.96	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	398.96	.00
Total Pro_Cert Amount (AF) =	399.30	.00
Total Certified Amount (AF) =	2089.94	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	2888.20	.00

Spacing MET!


An * after the source of supply indicates a pending application for change for the file number.
 An * after the ID indicates a 15 AF exemption was granted for the file number.
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
 The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1.00 miles of point defined as:

100.631931 West Longitude and 37.165934 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 12332 00	STK	NK	G
>	HIGH PLAINS PONDEROSA DAIRY LLC		
>	2042 V RD		
>	PLAINS KS 67869		

A__ 40445 00	IRR	NK	G
>	PARITY INVESTMENTS INC		
>	303 MAIN		
>	KISMET KS 67859		

A__ 41578 00	IRR	NK	G
>	PARITY INVESTMENTS INC		
>	303 MAIN		
>	KISMET KS 67859		

GMD3 Change Review

Change Application(s); PD
File No(s). 45387; High Plains Ponderosa Dairy
SEE ATTACHED MAP

	ft. North	ft. West	
Authorized PD	594	8	Sect. 13-33-31
Proposed PD	3787	4550	Sect. 19-33-30
Difference	2087 S	738 E	
$a^2 + b^2 = c^2$	4355569	544644	2213.642 foot move SE

Neighboring wells: Spacing MET, see WRIS report

Domestic wells: None found in area of concern

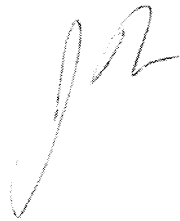
Regulation(s) Reviewed: KAR 5-23-3

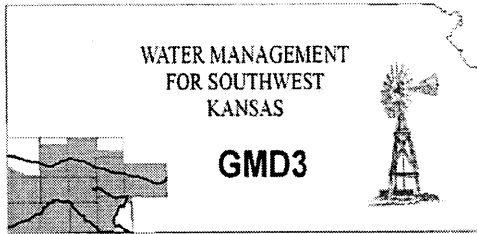
Board Review Date: NA

Board Recommendation: NA

Waiver Reason: NA

Final Recommendation: After review of all available information, it appears the area rules are met. Staff therefore recommends approval of the applications. We would also stress the need for the applicant to adhere to the rules for the standby well and fully understand how it is to be operated.





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

June 7, 2017

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

RE: Application for Change in Point of Diversion
Water Appropriation, File No. 45387

Dear Leslie:

We have completed a review of the application for the above referenced water right. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed distance moved and spacing to neighboring wells is met in accordance with K.A.R. 5-23-3. The applicant should understand the limits and expectations for a standby, proposed for the current well location, and make sure it is used in accordance with the regulations. Even though it is a standby well, spacing to neighboring wells is met. 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

>-----
A__ 41580 00 IRR NK G
> PARITY INVESTMENTS INC
>
> 303 MAIN
> KISMET KS 67859
>-----

A__ 42110 00 IRR NK G
> PARITY INVESTMENTS INC
>
> 303 MAIN
> KISMET KS 67859
>-----

A__ 42708 00 IRR NK G
> PARITY INVESTMENTS INC
>
> 303 MAIN
> KISMET KS 67859
>-----

A__ 44946 00 IRR MM G
> PARITY INVESTMENTS INC
>
> 303 MAIN
> KISMET KS 67859
>-----

A__ 45387 00 STK LR G
> HIGH PLAINS PONDEROSA DAIRY LLC
>
> 2042 V RD
> PLAINS KS 67869
>-----
=====

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

June 2, 2017

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

Re: Application for Change, Appropriation of Water, File No. 45,387

Dear Mr. Rude:

We are enclosing a copy of the application referred to above which appears 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 recommendation concerning this application.

Please submit your recommendation within the allotted time, or any authorized extension of time thereof. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

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

Leslie Ireland
Environmental Scientist
Water Appropriation Program

FILE COPY
SCANNED

LI:li

Enclosure

pc: Garden City Field Office
David Clawson, High Plains Ponderosa Dairy LLC

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

FILE COPY

May 16, 2017

PARITY INVESTMENTS INC
303 MAIN
KISMET KS 67859-9612

RE: Appropriation of Water,
File No. 45,387

Dear Sir or Madam;

This is to advise you that David Clawson on behalf of High Plains Ponderosa Dairy LLC, has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced file.

The application proposes the following change in the location of the point of diversion that will add a standby well which will be operated only when the primary well is inoperable:

from: one (1) well located in Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 13, more particularly described as being near a point 300 feet North and 100 feet West of the Southeast corner of said section, in Township 33 South, Range 31 West, Seward County,

to: one (1) **Primary well** located in the Northeast Quarter of the Southwest Quarter of the Northwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 19, more particularly described as being near a point 3,787 feet North and 4,550 feet West of the Southeast corner of said section, in Township 33 South, Range 30 West, Meade County.

one (1) **Standby well** from the old existing authorized well corrected to be located in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 13, more particularly described as being near a point 616 feet North and 116 feet West of the Southeast corner of said section, in Township 33 South, Range 31 West, Seward County,

all in the State of Kansas.

You are being notified of the proposed change so that you may furnish this office written comments or other information you may desire to submit. Such written comments or other information must be received in this office within 15 days from the date of this letter.

SCANNED

If you have any questions, please contact our office, my desk phone is (785) 564-6633. If you wish to discuss a specific file, please have the file numbers ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script, appearing to read "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Garden City Field Office
Groundwater Management District No. 3
David Clawson, High Plains Ponderosa Dairy LLC

File No.

Report Date Monday, May 15 2017

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 45387 00

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 45387 00 STK

Water Right and Points of Diversion Within 1.50 miles of point defined as:

PROPOSED STK STANDBY well

300 Feet North and 100 Feet West of the Southeast Corner of Section 13 T 33S R 31W

GROUNDWATER ONLY

actually 594' N x 81' W RECOMMENDS STANDBY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 12332 00	STK	NK	G	4865	--	--	CN	SE	2630	1330	18	33	30W	1		286.94	286.94	AF
Same				4800	--	NE	NW	SE	2630	1405	18	33	30W	3				
A__ 21974 00	STK	NK	G	7658	--	SW	NE	SW	1640	3914	12	33	31W	5		92.41	92.41	AF
Same				7468	--	NW	NE	SE	2372	1290	12	33	31W	7				
A__ 30777 00	STK	NK	G	7756	--	NE	NE	SW	2279	2778	12	33	31W	4		221.34	221.34	AF
A__ 40445 00	IRR	NK	G	2300	--	SW	SW	SE	480	2400	13	33	31W	1		520.00	520.00	AF
A__ 40861 00	STK	NK	G	7756	--	NE	NE	SW	2279	2778	12	33	31W	4		114.41	114.41	AF
A__ 41578 00	IRR	NK	G	4085	--	--	--	NC	2660	2750	19	33	30W	1		141.00	141.00	AF
A__ 41580 00	IRR	NK	G	5458	--	--	--	--	140	5140	19	33	30W	2		805.00	622.00	AF
A__ 42110 00	IRR	NK	G	2300	--	SW	SW	SE	480	2400	13	33	31W	1		780.00	260.00	AF
A__ 42382 00	IRR	NK	G	7861	--	NW	NW	NW	5215	4715	17	33	30W	3		324.00	324.00	AF
A__ 42708 00	IRR	NK	G	4203	--	--	NC	NW	3940	3960	24	33	31W	1		260.00	260.00	AF
A__ 44946 00	IRR	MM	G	3090*	--	SW	SE	NE	2700	1250	24	33	31W	2		999.00	399.30	AF
A__ 45387 00	STK	LR	G*	0	--	SE	SE	SE	300	100	13	33	31W	2		398.96	398.96	AF
P__20160207 00	IND	GY	G	6718	--	SE	SW	SW	500	4500	24	33	31W	3		.77	.77	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.77	.00
Total Inspected Amount (AF) =	398.96	.00
Total Pro_Cert Amount (AF) =	399.30	.00
Total Certified Amount (AF) =	2842.10	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	3641.12	.00

An * after the source of supply indicates a pending application for change under the file number.
 An * after the ID indicates a 15 AF exemption was granted under the file number.
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
 The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1.50 miles of point defined as:

300 Feet North and 100 Feet West of the Southeast Corner of Section 13 T 33S R 31W

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 12332 00	STK	NK	G
>	HIGH PLAINS PONDEROSA DAIRY LLC		
>	2042 V RD		
>	PLAINS KS 67869		
A__ 21974 00	STK	NK	G
>	KANSAS-SMITH FARMS LLC		

> 23179 5 RD
> PLAINS KS 67869

A__ 30777 00 STK NK G
> KANSAS-SMITH FARMS LLC

>
> 23179 5 RD
> PLAINS KS 67869

A__ 40445 00 IRR NK G
> PARITY INVESTMENTS INC
>
> 303 MAIN
> KISMET KS 67859

A__ 40861 00 STK NK G
> KANSAS-SMITH FARMS LLC
>
> 23179 5 RD
> PLAINS KS 67869

A__ 41578 00 IRR NK G
> PARITY INVESTMENTS INC
>
> 303 MAIN
> KISMET KS 67859

A__ 41580 00 IRR NK G
> PARITY INVESTMENTS INC
>
> 303 MAIN
> KISMET KS 67859

A__ 42110 00 IRR NK G
> PARITY INVESTMENTS INC
>
> 303 MAIN
> KISMET KS 67859

A__ 42382 00 IRR NK G
> JAMES A HUSH
>
> PO BOX 458
> PLAINS KS 67869

A__ 42708 00 IRR NK G
> PARITY INVESTMENTS INC
>
> 303 MAIN
> KISMET KS 67859

A__ 44946 00 IRR MM G

Water Rights and Points of Diversion Within 1.25 miles of point defined as:
3787 ft N and 4550 ft W of the SE Corner of Section 19, T 33S, R 30W
Located at: 100.631931 West Longitude and 37.165934 North Latitude
GROUNDWATER ONLY

File No. 45,387
PROPOSED New STK well

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit	
A_ 12332	00	STK	NK	G	5230	--	--	CN	SE	2630	1330	18	33	30W	1		286.94	286.94	AF
Same					5184	--	NE	NW	SE	2630	1405	18	33	30W	3				
A_ 40445	00	IRR	NK	G	3889	--	SW	SW	SE	480	2400	13	33	31W	1		520.00	520.00	AF
A_ 41578	00	IRR	NK	G	2124	--	--	--	NC	2660	2750	19	33	30W	1		141.00	141.00	AF
A_ 41579	00	IRR	NK	G	6296	--	--	--	--	2820	5240	30	33	30W	1		498.00	498.00	AF
A_ 41580	00	IRR	NK	G	3694	--	--	--	--	140	5140	19	33	30W	2		805.00	622.00	AF
A_ 42110	00	IRR	NK	G	3889	--	SW	SW	SE	480	2400	13	33	31W	1		780.00	260.00	AF
A_ 42708	00	IRR	NK	G	4940	--	--	NC	NW	3940	3960	24	33	31W	1		260.00	260.00	AF
A_ 44946	00	IRR	MM	G	2471	--	SW	SE	NE	2700	1250	24	33	31W	2		999.00	399.30	AF
A_ 45387	00	STK	LR	G*	2081	--	SE	SE	SE	300	100	13	33	31W	2		398.96	398.96	AF
P_ 20160207	00	IND	GY	G	6379	--	SE	SW	SW	500	4500	24	33	31W	3		.77	.77	AF

APPLICANTS P.A.

APPLICANTS -

PROPOSED SUNDAY

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.77	.00
Total Inspected Amount (AF) =	398.96	.00
Total Pro_Cert Amount (AF) =	399.30	.00
Total Certified Amount (AF) =	2587.94	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	3386.96	.00

MOVE APPROX 2300 FT.
SPRING 399 AF NEEDS 1900' WZW
MEETS RULES -

An * after the source of supply indicates a pending application for change for the file number.
An * after the ID indicates a 15 AF exemption was granted for the file number.
A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1.25 miles of point defined as:
100.631931 West Longitude and 37.165934 North Latitude
GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A_ 12332	00	STK	NK
>	HIGH PLAINS PONDEROSA DAIRY LLC		
>	2042 V RD		
>	PLAINS KS 67869		
A_ 40445	00	IRR	NK
>	PARITY INVESTMENTS INC		
>	303 MAIN		
>	KISMET KS 67859		
A_ 41578	00	IRR	NK
>	PARITY INVESTMENTS INC		

ACTUAL 616' N 116' W Sec 13
PROPOSED 3787' N 4550' W Sec 19 APPROX 2300' APART -

> 303 MAIN
> KISMET KS 67859

A__ 41579 00 IRR NK G
> PARITY INVESTMENTS INC

>
> 303 MAIN
> KISMET KS 67859

A__ 41580 00 IRR NK G
> PARITY INVESTMENTS INC

>
> 303 MAIN
> KISMET KS 67859

A__ 42110 00 IRR NK G
> PARITY INVESTMENTS INC

>
> 303 MAIN
> KISMET KS 67859

A__ 42708 00 IRR NK G
> PARITY INVESTMENTS INC

>
> 303 MAIN
> KISMET KS 67859

A__ 44946 00 IRR MM G
> PARITY INVESTMENTS INC

>
> 303 MAIN
> KISMET KS 67859

A__ 45387 00 STK LR G
> HIGH PLAINS PONDEROSA DAIRY LLC

>
> 2042 V RD
> PLAINS KS 67869

P__20160207 00 IND GY G
> TYLER PALMER

>
> PO BOX 1318
> LIBERAL KS 67905

=====

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
109 SW 9th Street, Second Floor
Topeka, Kansas 66612-1283
www.accesskansas.org/kda/

KANSAS DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES

NOTICE OF COMPLETION OF
DIVERSION WORKS and/or
REPORT OF FLOWMETER
INSTALLATION

For Office Use Only:
Code FIS
Fee \$ 400
TR # 05016410
Rcpt Date 1-10-05
Check # 8030

Section 1. Action requiring this form is: (See supplemental instructions on form DWR 1-203.14)

- New application approval and permit to proceed (\$400 fee required by K.S.A. 82a-714(d) is attached)
- Change in point of diversion (no fee). Change in place of use of water (no fee).
- Change in use made of water (no fee). A replacement of previous flowmeter (no fee).
- Term permit (no fee). Other (e.g., special order of the Chief Engineer).

I, the holder of a permit issued by the Chief Engineer of the Division of Water Resources pursuant to the file(s) referenced in section 2, hereby certify that the information on sections 1-5 of this form is correct to the best of my knowledge.

Signature: [Handwritten Signature] Date: 12-31-04 I.D. No.: 43-1233776
(mo / day / year) Social Security or Taxpayer

K.A.R. 5-1-1(y), defines diversion works as "all well(s), pump(s), power unit(s), power source(s), dam(s) and all other devices necessary to bring water under control for delivery to a distribution system by which the water will be distributed to the proposed use and any other equipment required . . . such as a check valve, water level measurement tube, meter or other measuring device."

If you have completed your diversion works as described above and completed the requirements as set forth in your Approval of Application, please complete this form. **If you are unable to meet the requirements stated on your approval, you must submit a request for extension of time (form DWR 1-203.15).** K.S.A. 82a-714(e) puts a \$100 fee on an extension of time to complete the diversion works. **Failure to notify the Chief Engineer of the completion of the diversion works within the time allotted can result in dismissal of the referenced file(s) and loss of priority date.**

If the subject file(s) authorizes multiple new points of diversion (PDs), you may ~~submit~~ ^{submit} this form (both sides) and submit one form for each new PD authorized. An instruction sheet with sample forms is available as form DWR 1-203.14.

Section 2 - Location of the Point of Diversion

The location of the point of diversion should be described as actually installed. The description should include the Section, Township, and Range, the 10-acre tract description (1/4 1/4 1/4) and the footage from the SE corner of the section.

1. File No(s): 45387 [if assisted by DWR: P/D iD ____ By: ____]
2. The date the diversion works were completed: _____, 20__
3. The diversion works are located in the SE Quarter of the SE Quarter of the _____ Quarter of (also described as _____ feet North and _____ feet West of the southeast corner of ...).
Section 13, Township 33 South, Range 31 East / West, in Seward County, Kansas.
- If this is a change in point of diversion (PD), how was the PD being replaced identified? _____
4. Yes No Is a check valve installed? (Check valve is required when chemigating.)
5. Yes No If the source of supply is groundwater, is the water level measurement tube installed?
6. Yes No If the source of supply is a surface water reservoir, is a stage-measuring device installed?

Section 3 PRINT CLEARLY-THIS IS THE PROCESSED DOCUMENT RETURN MAIL

Printed Name: High Plains Dairy
Address: 2042 V Road
City, ST Zip: Plains, KS 67869

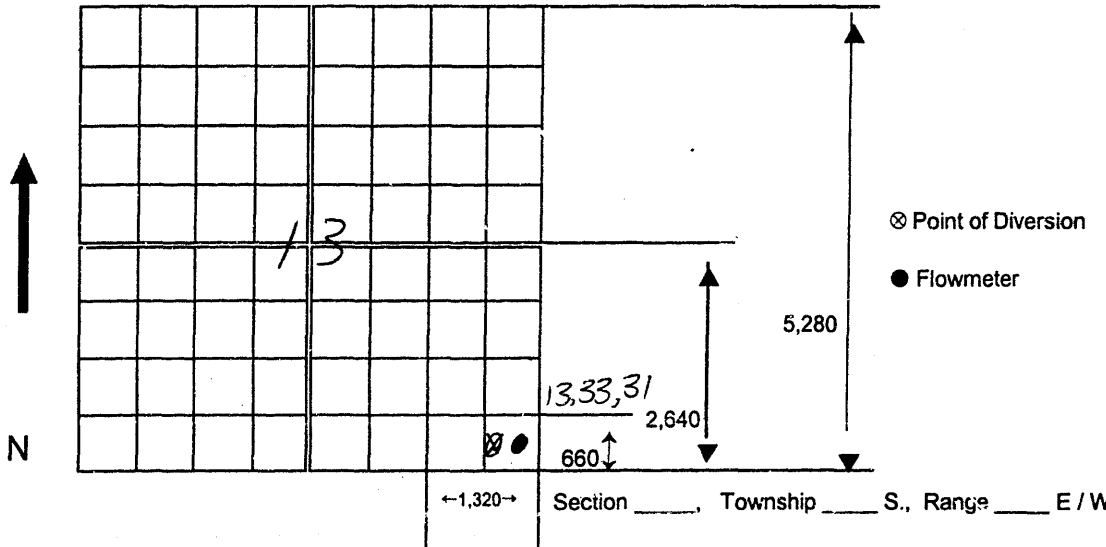
INFORMATION RECORDS
Division of Water Resources

Kansas Department of Agriculture
Topeka, Kansas
Dated MARCH 30 2005
Initials CS

Telephone: 620-563-9441

Section 4 - Point of Diversion/Flowmeter Location Map

The plat below represents a one-mile square. Please indicate the location of the point of diversion and the location of the flowmeter installation. Write in section number(s) as appropriate.



Section 5 - Flowmeter information File No(s): 45387

7. Manufacturer of Flowmeter: Master Meter Date Flowmeter Installed: _____ (mo / day / year)
8. Model Number: AWWA Class 2 (Obtain from seller or invoice)
9. Flowmeter Type: Propeller Turbine SLY Multi-jet Positive Displacement
 Electromagnetic Vortex Ultrasonic Paddlewheel Other: _____
10. Flowmeter Serial Number: No serial number
11. Flowmeter Units: Gallons Acre-Feet Acre-Inches Other: _____
12. Flowmeter Size: 2" 4" 6" 8" 10" 12" Other: _____
13. Multiplier Factor: 1000 100 10 1 0.1 0.01 0.001 Other: _____
 (Multiplier factor is normally indicated on flowmeter readout - possibly by printed zeros)
14. Flowmeter totalizer reading when installed: 0

If the flowmeter is hidden, or not within 100 ft of the point of diversion being metered, please describe its location, draw a diagram above and explain details on diagram: Flowmeter is at pivot

15. The flowmeter is located in the _____ Quarter of the _____ Quarter of the _____ Quarter
 [or describe from section lines: _____ feet (North or South) and _____ feet (East or West)]
 in Section _____, Township _____ S., Range _____ (East/West).

16. Yes No Is flowmeter installed on a portable pump?
17. Yes No Are straightening vanes installed? (Required for any approval dated after Sept. 22, 2000)
18. Yes No Does flowmeter serve more than one point of diversion? (If yes, show on diagram above.)
19. Yes No Is this a replacement flowmeter? If yes, identify the previous flowmeter:
 Make: _____, Model: _____, Serial no.: _____

Totalizer reading at replacement time: _____ Data flowmeter removed: _____ (mo / day / year)

If you have further questions on how to fill out this form, please contact the field office in your area:

Topeka
 109 SW 9th Street, 1st Floor
 Topeka, KS 66612-2216
 (785) 368-8251

Stafford
 105 North Main St.
 Drawer F
 Stafford, KS 67578
 (620) 234-5311

Stockton
 820 South Walnut
 P O Box 192
 Stockton, KS 67669
 (785) 425-6787

Garden City
 2508 Johns Street
 Garden City, KS 67846
 (620) 276-2901

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

April 18, 2017

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

FILE COPY

RE: File No. 45387

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 PD
- 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. Turney".

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

BAT: DLW
pc: GARDEN CITY Field Office GMD 3