

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

| | | | | |
|---------------------------------|--|-----------------------------|------------------------------|---------------------|
| 1. File Number: 41192 | 2. Status Change Date: <i>7/10/2018</i> | 3. Change Num: C4 | 4. Field Office: 4 | 5. GMD: 3 |
|---------------------------------|--|-----------------------------|------------------------------|---------------------|

| | |
|--|---|
| 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: 2/20/2018 |
|--|---|

8a. Applicant & Landowner
New to system Person ID **55887**
Add Seq# _____

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

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

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

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

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

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

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

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

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

8f. WUC & owner
New to system Person ID **63023**
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: *7/11/2018* By: *LLM*

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

File No. **41192** 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 Y | *** |
| 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. 41192 | | 11. County: SW | | Basin: CIMARRON RIVER | | Stream: | | Formation Code: 211 | | Special Use: | | | | | | | | | | | | | | | | | |
|--|-------|-----------------------|----|------------------------------|---|---------|-------|---------------------|-------|--------------|--------------|--------------|---------|---------|--------------|--------------|-------------|---------|---------|---------|---------|---------|---------------|----|-----------------|-------------|--|
| 16. Place of Use CHK MOD DEL ENT | | PULSE | | 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 | | | | |
| 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 | 40.0 | L-3 34.0 | L-4 14.5 | 34.0 | 34.0 | 40.0 | 34.0 | 14.5 | 490 | 8a | NO Y | *** | |
| 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 | *** | |
| CHK | 14978 | 28 | 33 | 31W | 1 | | | | | | | | | | | | | 24.0 | 24.0 | 35.0 | 35.0 | 118 | 8e | NO | *** | | |

On 1st Sheet

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

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*.

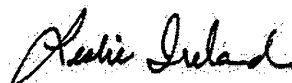
The actual location of the wells authorized under File Nos. 26,247; 41,579; 41,581; 42,708; 43,082 and 44,946, have been determined by GPS protocol during Compliance Investigations. The updated locations were found to be within 300 feet of the authorized locations and will updated by the approvals.

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
DAVID CLAWSON
2042 V RD
PLAINS KS 67869

July 12, 2018

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

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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. 41,192**

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 7, 2000, February 5, 2003, December 31, 2012, and November 27, 2013, approving the applications to change the place of use, and by the Order of the Chief Engineer dated November 14, 2013, approving the application to change the point of diversion, 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 | 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 | 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. 41,192, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated August 7, 2000, 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 10th day of July, 2018, at Topeka, Shawnee County, Kansas.

Lane P. Letourneau
 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 10th day of July, 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson
 Notary Public

CERTIFICATE OF SERVICE

On this 12th day July, 2018, I hereby certify that the attached Approval of Application for Change in Place of Use, Water Right, File No. 41,192 dated July 10th, 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:

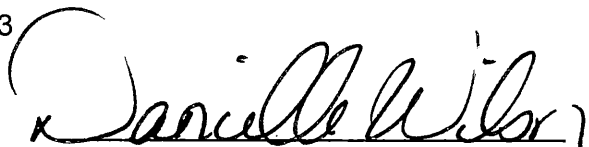
Rock Ormiston
303 Main St
Kismet, KS 67859

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
1:23
KS Dept Of Agriculture

File No. 41192

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 CCR Source G/S County SW By AW Date 2/20/18
Code CPV Fee \$ 500 TR # _____ Receipt Date 2/20/18 Check # 49186

APPLICATION COMPLETE
6/26/18
Reviewer LI

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 41578 41579 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

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

| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES |
|------|------|-------|-------|-------|-------|-------|-----|-----|-----|-----|-------|-------|-------|-------|-------|-------|-------|-------|-------------|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| 27 | 33 | 31W | 31.50 | 31.50 | 31.50 | 31.50 | | | | | 31.25 | 31.25 | 31.25 | 31.25 | 31.25 | 31.25 | 31.25 | 31.25 | 376.0 |
| 28 | 33 | 31W | | | | | | | | | | | | | 24.0 | 24.0 | 35.0 | 35.0 | 118.0 |
| 33 | 33 | 31W | 33.0 | 33.0 | 30.5 | 30.5 | | | | | | | | | | | | | 127.0 |

List any other water rights that cover this place of use. 22306 26247 40445 41578 41579 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

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

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

| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES |
|------|------|-------|-------|-------|-------|-------|-------|----------------|----------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------------|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| 31 | 33 | 30W | | | | | 30.75 | Lot 1 30.75 | Lot 2 30.75 | 30.75 | | | | | | | | | 123.0 |
| 23 | 33 | 31W | | | | | | | | | 32.50 | 32.50 | 32.50 | 32.50 | 32.50 | 32.50 | 32.50 | 32.50 | 260.0 |
| 24 | 33 | 31W | | | | | 30.75 | 30.75 | 30.75 | 30.75 | | | | | | | | | 123.0 |
| 25 | 33 | 31W | | | | | | | | | 30.75 | 30.75 | 30.75 | 30.75 | | | | | 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 41578 41579 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

SEE ADDITIONAL LISTINGS ON SUPPLEMENTAL SHEET

Water Resources
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FEB 20 2018

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KS Dept Of Agriculture

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 41192
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 41578 41579 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

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

| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES |
|------|------|-------|-----|-----|-----|-----|-------|-------|-------|-------|-----|-----|-----|-----|-------|-------|-------|------|-------------|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| 13 | 33 | 31W | | | | | 32.50 | 32.50 | 32.50 | 32.50 | | | | | 14.50 | 34.00 | 40.00 | 34.0 | 252.0 |

List any other water rights that cover this place of use. 22306 22306 26247 40445 41578 41579 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

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

| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES |
|------|------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|-------|-------|-------|-----|-----|-------------|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| 13 | 33 | 31W | | | | | | | | | | | 34.00 | 14.50 | 34.00 | 40.00 | | | 122.5 |

List any other water rights that cover this place of use. 22306 26247 40445 41578 41579 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

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

| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES |
|------|------|-------|-------|-------|-------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| 34 | 33 | 31W | 30.75 | 30.75 | 30.75 | 30.75 | | | | | | | | | | | | | 123.0 |

List any other water rights that cover this place of use. 22306 26247 40445 41578 41579 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

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

| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES |
|------|------|-------|-------|-------|-------|-------|-------|----------------|----------------|-------|-------|----------------|----------------|-------|-------|-------|-------|-------|-------------|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| 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 | 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 | 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 41578 41579 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 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 | | | | | | | | | 31.50 | 31.50 | 31.50 | 31.50 | 31.50 | 31.50 | 31.50 | 31.50 | 31.50 | 31.50 | 31.50 | 31.50 | 376.0 |
| 28 | 33 | 31W | | | | | | | | | | | | | 24.0 | 24.0 | 35.0 | 35.0 | | | | | | | | | 118.0 |
| 33 | 33 | 31W | 33.0 | 33.0 | 30.5 | 30.5 | | | | | | | | | | | | | | | | | | | | | 127.0 |

List any other water rights that cover this place of use. 22306 26247 40445 41578 41579 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

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

| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES | | | | | | | | | |
|------|------|-------|-------|-------|-------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------|--|--|--|--|--|--|--|--|------|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | | | | | | | | | | |
| 24 | 33 | 31W | 18.00 | 12.00 | 31.00 | 31.00 | | | | | | | | | | | | | | | | | | | | | | 92.0 |

List any other water rights that cover this place of use. 22306 26247 40445 41578 41579 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

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

| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES | | | | | | | | |
|------|------|-------|-----|-----|-----|-----|-------|-------|-------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-------------|-------|-------|------|--|--|--|--|-------|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | | | | | | | | | |
| 13 | 33 | 31W | | | | | 32.50 | 32.50 | 32.50 | 32.50 | | | | | | | | | 14.50 | 34.00 | 40.00 | 34.0 | | | | | 252.0 |

List any other water rights that cover this place of use. 22306 26247 40445 41578 41579 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

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

| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES | | | | | | | | |
|------|------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|-------|-------|-------|-------------|--|--|--|--|--|--|--|-------|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | | | | | | | | | |
| 13 | 33 | 31W | | | | | | | | | | | | | 34.00 | 14.50 | 34.00 | 40.00 | | | | | | | | | 122.5 |

List any other water rights that cover this place of use. 22306 26247 40445 41578 41579 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

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

| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES | | | | | | | | | |
|------|------|-------|-------|-------|-------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------|--|--|--|--|--|--|--|--|-------|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | | | | | | | | | | |
| 34 | 33 | 31W | 30.75 | 30.75 | 30.75 | 30.75 | | | | | | | | | | | | | | | | | | | | | | 123.0 |

List any other water rights that cover this place of use. 22306 26247 40445 41578 41579 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

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

| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES | | | | | | | | |
|------|------|-------|-------|-------|-------|-------|-------|----------------|----------------|-------|-------|-------|-------|-------|-------|----------------|----------------|-------|-------------|-------|-------|-------|--|--|--|--|-------|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | | | | | | | | | |
| 7 | 33 | 30W | | | | | | | | | | | | | 40.00 | LOT 3 38.22 | LOT 4 21.38 | 22.40 | | | | | | | | | 122.0 |
| 19 | 33 | 30W | 14.50 | 34.00 | 40.00 | 34.00 | 34.00 | Lot 1 14.50 | Lot 2 34.00 | 40.00 | 40.00 | 34.00 | 14.50 | 34.00 | 34.00 | 40.00 | 34.00 | 40.00 | 34.00 | 40.00 | 34.00 | 14.50 | | | | | 490.0 |
| 30 | 33 | 30W | | | | | 30.75 | Lot 1 30.75 | Lot 2 30.75 | 30.75 | 30.75 | | | | | | | | | | | | | | | | 123.0 |
| 31 | 33 | 30W | | | | | | | | | | | | | 30.75 | 30.75 | 30.75 | 30.75 | | | | | | | | | 123.0 |
| 35 | 33 | 31W | | | | | | | | | | | | | 30.75 | 30.75 | 30.75 | 30.75 | | | | | | | | | 123.0 |

List any other water rights that cover this place of use. 22306 26247 40445 41578 41579 41580 41581 42084 42110 42708 43082 43105 43220 43333 43635 43880 44248 44945 44946 45295

* WTAWK 3/19/18

Water Resources
 Received

FEB 20 2018

- 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. _____

Water Resources
 Approved

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

FEB 20 2018

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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). 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

Water Resources
Received

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 Platts, Kansas, this 5th day of February, 2018.

| | | |
|--|-------|----------------|
| <u>David Clawson</u> (Owner) | _____ | (Spouse) |
| <u>David Clawson</u> (Please Print) | _____ | (Please Print) |
| <u>Rock Ount</u> (Owner) | _____ | (Spouse) |
| <u>ROCK OUNTON</u> (Please Print) | _____ | (Please Print) |
| _____ | _____ | (Spouse) |
| _____ | _____ | (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 5th day of February, 2018.

My Commission Expires 5-19-2020



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

Ryan R
Notary Public

FFF 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
FEB 20 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 Kismet, Kansas, this 12th day of March, 2018.

RC [Signature]
(Owner)

Stephanie Ormiston [Signature]
(Spouse)

Rock Ormiston II
(Please Print)

Stephanie Ormiston
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

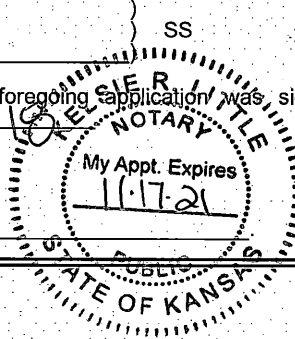
(Spouse)

(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 12th day of March, 2018.



Kelsie R. Lippert [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.

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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 Quincy, 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

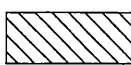
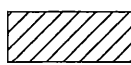
Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

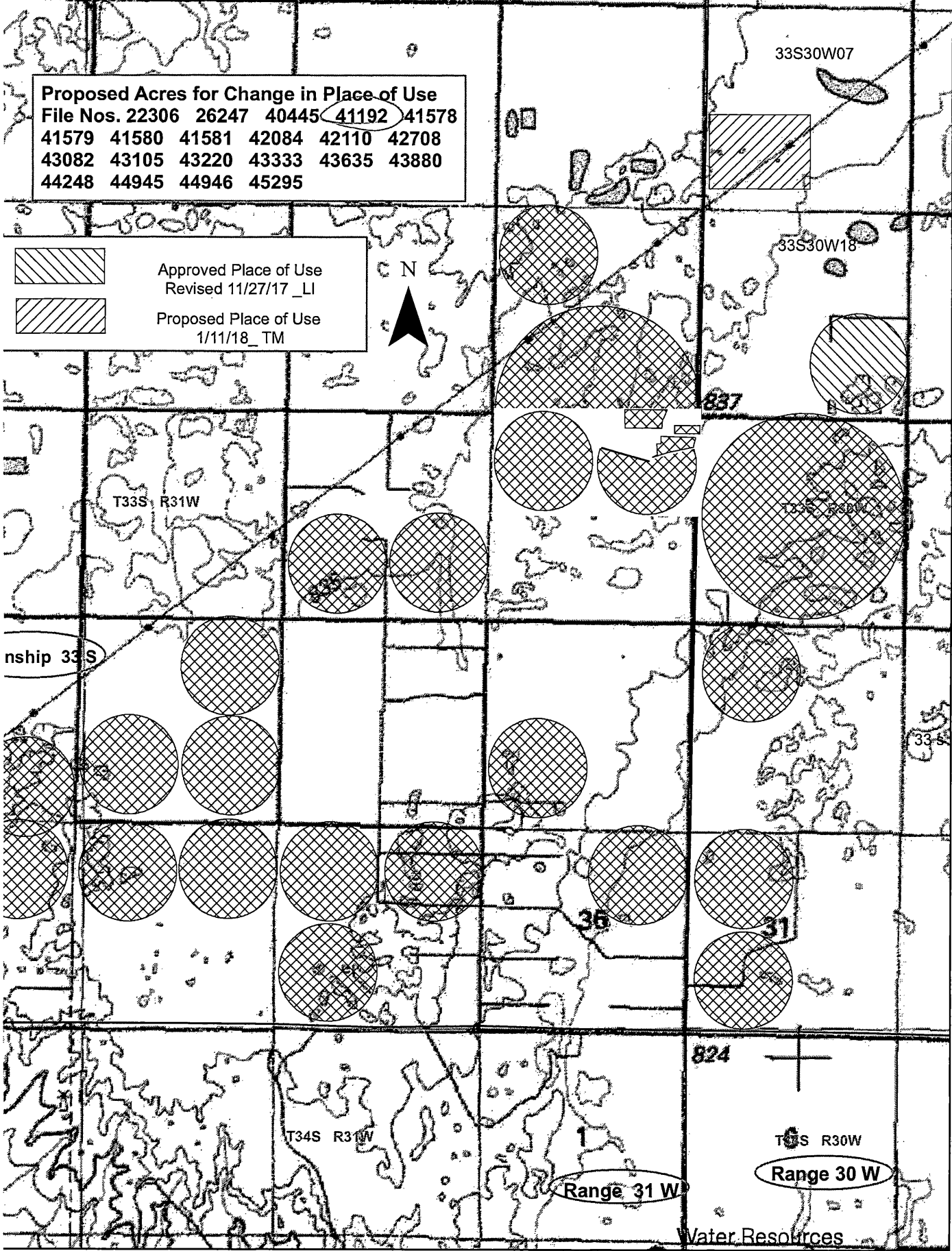
- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
- (4) Application to change the use made of the water \$300

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

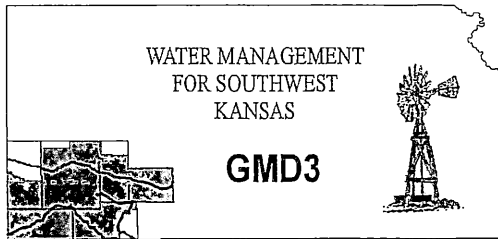


Water Resources
 Received

FEB 20 2018

KS Dept Of Agriculture

SCANNED



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

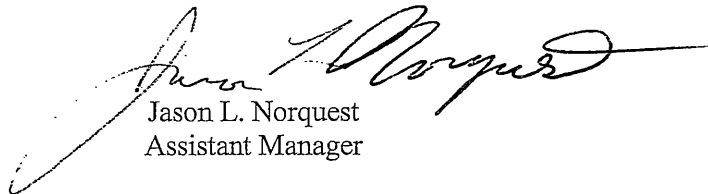
RE: Application for Change in place of Use
Water Right, File Nos. 22306, 26247, 40445, 41192, 41578, 41579, 41580, 41581, 42084, 42110,
42708, 43082, 43105, 43220, 43333, 43635, 43880, 44248 & 44945
Appropriations of Water, File Nos. 44946 & 45295

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

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
www.agriculture.ks.gov

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
www.agriculture.ks.gov

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

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 590th 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:

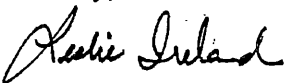
Reference is made my letter of March 12, 2018, and the email of Rock Ormiston informing us of your address change and that ownership has transferred solely to you. Enclosed please find a copy of the March 12, 2018 letter and new pages for the needed notarized signatures.

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,


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]

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@swac.co

620 563 7264 office
620 629 3978 cell

ROCK ORMISTON II

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]

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

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 41192

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