# NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

| Submit Te<br>09092              | 1320 Research Park Drive DCC 0 1 2020  | RFACE WATER<br>leck one)<br>NACCEPT OF AGRICULT<br>State of Kansas  |  |
|---------------------------------|--|---|--|
| Nam<br>Stree<br>City :<br>Zip C | icant: (Please print or type)<br>e <u>HIGH PLAINS PONDEROSA DAIRY LLC</u><br>et 2042 V RD<br>and State <u>PLAINS KS</u><br>Code <u>67896</u> Telephone No. ()<br>ail Address   | <ol> <li>Water is to be used for (briefly describe proposed use<br/>and explain the rate and quantity requested):<br/><u>STK USE TO COVER WELL UNTIL END OF YEAR</u><br/><u>OFFSET FROM WR# 41580</u></li> <li>Location of place of use:<br/><u>STK USE AT DAIRY (W2) &amp; (SE) 18-33S-30W</u></li> </ol>  |  |
| Socia<br>and/o                  | al Security I.D. No<br>or Taxpayer I.D. No   | 6. Period of use:<br>Commencing date: <u>12/3/2020</u><br>Ending Date: <u>12/31/2020</u> Also enter on Item 12  |  |
|                                 | tion of Point of Diversion:<br><u>19</u> , Twp. <u>33S</u> , Rng. <u>30W</u> , (E/W),<br>DE <u>County, Kansas</u> .  | If off-stream pit, check here .<br>Will pit floor intersect water table? Yes No   |  |
| NOTE<br>approx<br>3. Wate       | ance from Southeast Corner of Section:<br><u>3787</u> feet North from Southeast Corner<br><u>4550</u> feet West from Southeast Corner<br>It point of diversion is not site specific (i.e. groundwater pit) show the<br>ximate geographic center.<br>er Use Data: | 7. Location of the proposed point of diversion and those of other water users within ½ mile shall be indicated on the diagram to the lower-left, scale 1 inch = 2,000 feet. If surface water, indicate on the diagram the course of the stream, and its name. List other D.W.R. permit numbers that cover the requested point(s) of diversion or place of use here:<br>PD OVERLAP: 45387<br>PU OVERLAP: 12332: 41578; 41579; 41580; 45387 |  |
| Amo                             | bosed Max. Pumping Rate (gpm) <u>500 GPM</u><br>unt Requested (acre-feet) <u>32.585 MGY (100 AF)</u><br>per calendar year<br>th of Well (feet)   | FEE SCHEDULE           1. The filing fee for an application is based on the maximum amount o water use proposed within a year. Except for storage, the fee is:           Acre-feet         Fee           0-100         \$200.00   |  |
| Date                            | (completed) (will be completed)  | 101-320 \$300.00<br>More than 320 \$300.00<br>plus \$20 for each additional 100 acre-feet or any part thereof.  |  |
| Nam                             | e of Stream  | The fee for an application in which storage is requested, is: <u>Acre-feet</u> Fee     0-250 \$200.00     More than 250 \$200.00     plus \$20.00 for each additional 250 acre-feet of storage or any part thereof  |  |
| an an an an an                  | NW   | NOTE: If an application requests both direct use and storage, the fee<br>charged shall be as determined under No. 1 or No. 2 above<br>whichever is greater, <u>but not both fees.</u>   |  |
|                                 | N  | <ol> <li>A request for an extension of time to extend the term of a term perm<br/>shall be accompanied by a fee of \$100.00.</li> <li>There is a separate application form for domestic use. Do not use this</li> </ol>   |  |
| ar factor i e                   | SW SE  | form for domestic use.<br>CONVERSION FACTORS  |  |
| and a free be                   | A nan war hawan a Yawaya kananganan da na nanan palanan an ananan ananan ananan an   | 1 acre-foot equals 325,851 gallons<br>1 million gallons equal 3.07 acre-feet  |  |

Assisted by AM/GCFO

For Office Use Only: F.O. 4 GMD 3 Meets K.A.R. 5-3-1 (YES NO) Use STK Source G/S County ME By Date Date Code TR # \_\_\_\_\_ Receipt Date VZ: 7.2020 Check # \_\_\_\_\_ Coos 33

SCANNED

|    | Otherwood  | lla   |   |  |  |  |
|----|--|---|---|--|--|--|
|    | Other we   |   | KS DEPT OF AGRICULTUF   |  |  |  |
|    | Well A   | Owner(s):<br>Address:   | WR# 45387 – OWNED BY APPLICANT  |  |  |  |
|    | Well B   | Owner(s):<br>Address:   | WR# 44946 - ROCK A & STEPHANIE K ORMISTON II<br>PO BOX 43 KISMET KS 97859 - 0043  |  |  |  |
| 9. |  | For surface water use, list below the names and addresses of all landowners from a point ½ mile upstream to a point ½ mile downstream of the tract of land upon which the point of diversion is located. If additional space is needed, attach sheet. |   |  |  |  |
|    | Tract A  | Owner(s):<br>Address:   |   |  |  |  |
|    | Tract B  | Owner(s):<br>Address:   |   |  |  |  |
| 10 | The own  | er of the poir  | nt of diversion, if other than the applicant is (please print):   |  |  |  |
|    |  | AS APPLIC   |   |  |  |  |
|    | - Historicki della de  |   | (name, address and telephone number)  |  |  |  |
|    |  | I have legal  | ay sign the following sworn statement:<br>access to, or control of, the point of diversion described in this application from the landowner or the<br>authorized representative. I declare under penalty of perium that the foregoing is true and correct   |  |  |  |
|    | The ap   | I have legal<br>landowner's<br>Executed on<br>policant must   |   |  |  |  |
| 11 | The ap<br>comple<br>applica  | I have legal<br>landowner's<br>Executed on<br>plicant must<br>ate this portion<br>int.  | access to, or control of, the point of diversion described in this application from the landowner or the authorized representative. I declare under penalty of perjup that the foregoing is true and correct.   |  |  |  |
|    | The application of the applicati | I have legal<br>landowner's<br>Executed on<br>pplicant must<br>ate this portion<br>int.<br>licant states<br>hicant agrees<br>hat this appro-<br>e on DECEM  | access to, or control of, the point of diversion described in this application from the landowner or the authorized representative. I declare under penalty of perjup that the foregoing is true and correct.<br><u>VLL 17</u> , 2020.<br><u>Applicant's Signature</u><br>provide the required information or signature irrespective of whether they are the landowner. Failure to no f the application will cause it to be unacceptable for filing and the application will be returned to the   |  |  |  |
| 12 | The application of the applicati | I have legal<br>landowner's<br>Executed on<br>plicant must<br>ate this portion<br>int.<br>icant states<br>licant agrees<br>at this appro-<br>e on <u>DECEN</u><br>r, Division of<br>licant agrees   | access to, or control of, the point of diversion described in this application from the landowner or the authorized representative. I declare under penalty of perjup that the foregoing is true and correct.<br>   |  |  |  |
| 12 | The application of the applicati | I have legal<br>landowner's<br>Executed on<br>policant must<br>ate this portion<br>int.<br>licant states<br>this appro-<br>e on <u>DECEM</u><br>, Division of<br>licant agrees<br>impaired by<br>the contact pe                                       | access to, or control of, the point of diversion described in this application from the landowner or the<br>authorized representative. I declare under penalty of perjup that the foregoing is true and correct.<br><u>V(L 17 , 20,20</u> .<br>Applicant's Signature<br>provide the required information or signature irrespective of whether they are the landowner. Failure to<br>on of the application will cause it to be unacceptable for filing and the application will be returned to the<br>that the information set hereon is true and accurate to the best of his/her knowledge.<br>Is to waive any right to a hearing on the matter of abandonment of this appropriation right and further<br>or within any extension of time authorized by the Chier<br>Water Resources, Kansas Department of Agriculture.<br>Is to provide water to nearby water users, at no charge to said users, should their rights to use water  |  |  |  |
| 12 | The application of the applicati | I have legal<br>landowner's<br>Executed on<br>policant must<br>ate this portion<br>int.<br>licant states<br>this appro-<br>e on <u>DECEM</u><br>, Division of<br>licant agrees<br>impaired by<br>the contact pe                                       | access to, or control of, the point of diversion described in this application from the landowner or the authorized representative. I declare under penalty of perjugi that the foregoing is true and correct.         Vic       17       ,20_2 0         Applicant's Signature       Applicant's Signature         provide the required information or signature irrespective of whether they are the landowner. Failure to on of the application will cause it to be unacceptable for filing and the application will be returned to the that the information set hereon is true and accurate to the best of his/her knowledge.         a to waive any right to a hearing on the matter of abandonment of this appropriation right and further or within any be dismissed and terminated upon completion of the proposed project, said dismissa ABER 31, 2020 or within any extension of time authorized by the Chier Water Resources, Kansas Department of Agriculture.         a to provide water to nearby water users, at no charge to said users, should their rights to use water the project proposed by this application.         erson (in event emergency contact is needed):         ethact         ethact         or         Authorized Representative         Date |  |  |  |

## CONDITIONS OF APPROVAL:

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

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

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

SCANNED

WATER RESOMORIN RECERPTION RECERPTION TABLE 0 7 2020

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

Mike Beam, Secretary



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

Laura Kelly, Governor

December 29, 2020

High Plains Ponderosa Dairy 2042 V Road Plains, KS 67896

Re: Unacceptable Application

Dear Whom it may concern

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

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

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

Sincerely,

Brander Milner

Brandon Milner Environmental Scientist Water Appropriation Program

WATER RESOURCES RECEIVED

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

# APPLICATION FOR TERM PERMUnacceptable for Priority

GROUNDWATER (check one)



No 🗌

# STATUTORY FILING FEE MUST ACCOMPANY THIS APPLICATION (Make check payable to the Kansas Department of Agriculture)

| 1. | Applicant: (Please print or type)   | 4. | Water is to<br>and explain                             |
|----|---|----|--|
|    | Name HIGH PLAINS PONDEROSA DAIRY LLC  |    | STK USE TO   |
|    | Street 2042 V RD  |    | OFFSET FR  |
|    | City and State PLAINS KS  | 5  | Location of  |
|    | Zip Code 67896 Telephone No. ( )  |    | STK USE A  |
|    | E-Mail Address  |    |  |
|    | Social Security I.D. No.  | 6. | Period of u  |
|    | and/or Taxpayer I.D. No.  |    | Commenci   |
| 2. | Location of Point of Diversion:<br>Sec. <u>19</u> , Twp. <u>33S</u> , Rng. <u>30W</u> , (E/W).<br>MEADE County, Kansas. |    | Ending Da<br>off-stream pi<br>Il pit floor in          |
|    | Distance from Southeast Corner of Section:  | 7. | Location of the  |
|    | feet North from Southeast Corner  |    | within 1/2 mile<br>inch = 2,000 f                      |
|    | 4550 feet West from Southeast Corner  |    | the stream, and the requested                          |
|    | NOTE: If point of diversion is not site specific (i.e. groundwater pit) show the approximate geographic center.         |    | PD OVERLAP   |
| 3. | Water Use Data:   |    | PU OVERLAP   |
|    | Proposed Max. Pumping Rate (gpm) 500 GPM  | -  |  |
|    | Amount Requested (acre-feet) 32.585 MGY (100 AF)  | 1. | water use pr   |
|    | Depth of Well (feet)  |    | Acre-feet<br>0-100                                     |
|    | Date (completed) (will be completed)  |    | 101-320<br>More than 3                                 |
|    | Drainage Basin CROOKED CREEK  | p  | lus \$20 for eac                                       |
|    | Name of Stream  | 2. |  |
|    |   | р  | Acre-feet<br>0-250<br>More than 2<br>lus \$20.00 for e |
|    |   | NC | TE: If an ap<br>charged<br>whichev                     |
|    | and a second and a second and a second          | 3. | A request fo<br>shall be acc                           |
|    | Ν   | 4. | There is a so form for dom                             |
|    | SW SE   |    |  |

- be used for (briefly describe proposed use n the rate and quantity requested): O COVER WELL UNTIL END OF YEAR OM WR# 41580
- f place of use: T DAIRY (W2) & (SE) 18-33S-30W
- se: ng date: 12/3/2020 te: 12/31/2020 Also enter on Item 12

t, check here tersect water table? Yes 🗌

a proposed point of diversion and those of other water users shall be indicated on the diagram to the lower-left, scale 1 eet. If surface water, indicate on the diagram the course of nd its name. List other D.W.R. permit numbers that cover point(s) of diversion or place of use here:

: 45387

12332: 41578: 41579: 41580: 45387

### FEE SCHEDULE

e for an application is based on the maximum amount of oposed within a year. Except for storage, the fee is:

|     | ACIE-TEEL                  |     | ree                            |  |
|-----|----------------------------|-----|--------------------------------|--|
|     | 0-100                      |     | \$200.00                       |  |
|     | 101-320                    |     | \$300.00                       |  |
|     | More than 320              |     | \$300.00                       |  |
| lus | s \$20 for each additional | 100 | acre-feet or any part thereof. |  |
|     |                            |     |                                |  |

in application in which storage is requested, is:

| Acre-feet     | Fee      |
|---------------|----------|
| 0-250         | \$200.00 |
| More than 250 | \$200.00 |
| More than 250 | \$200.   |

each additional 250 acre-feet of storage or any part thereof.

- plication requests both direct use and storage, the fee shall be as determined under No. 1 or No. 2 above, er is greater, but not both fees.
- r an extension of time to extend the term of a term permit ompanied by a fee of \$100.00.
- eparate application form for domestic use. Do not use this nestic use

#### **CONVERSION FACTORS**

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

Assisted by AM/GCFO

| For Office Use Only:<br>F.O. 4 GMP 83 | Meets K.A.R. 5-3-1 (YES NO) Use<br>Fee \$ 200 TR # | Source G/S County ME By BMM Date Date Date Check # (20533 |
|---------------------------------------|--|---|
| Code                                  | Fee \$ TR #  | Receipt Date <u>12 12020</u> Check #                      |

| 8. | For groundwater use, list below all wells within ½ mile of the proposed well, and plot locations upon the diagram on reverse |
|----|--|
|    | side. If additional space is needed, attach a map.   |

| Siuc. II a           | iduitional sp         | ace is needed, alla                  | un a map.                                      |  |   |
|----------------------|-----------------------|--------------------------------------|--|--|---|
| Other we             | ells -                |                                      |  |  |   |
| Well A               |                       | WR# 45387 - OV                       | NED BY APPLICAN                                | T  |   |
| Well B               |                       |                                      | CK A & STEPHANIE<br>IET KS 97859 - 0043        |  |   |
|                      |                       |                                      |  | of all landowners from a point ½ mile ups<br>sion is located. If additional space is nee   |   |
| Tract A              | Owner(s):<br>Address: |                                      |  |  |   |
| Tract B              | Owner(s):<br>Address: |                                      |  |  |   |
| 0. The own           | er of the poi         | nt of diversion, if ot               | her than the applican                          | t is (please print):   |   |
| SAME                 | AS APPLIC             | ANT                                  |  |  |   |
|                      |                       |                                      |  | and telephone number)  |   |
| authori              | zed represe           | ntative. Provide a                   |  | of, the point of diversion from the landow<br>eed, lease, easement or other document   |   |
|                      | landowner's           | authorized represe                   | entative. I declare un                         | version described in this application from<br>der penalty of perjury that the foregoing  | the landowner or the is true and correct. |
|                      | Executed or           | ۱                                    | , 20   |  |   |
| The                  | - United and and      |                                      | ad information as air                          | Applicant's Signature  | - Indexes - Failure to                    |
| comple<br>applica    | ete this porti        | on of the application                | on will cause it to be                         | nature irrespective of whether they are the<br>unacceptable for filing and the application   | n will be returned to the                 |
| 1. The appl          | icant states          | that the information                 | n set hereon is true a                         | nd accurate to the best of his/her knowled   | dge.                                      |
| agrees the date to b | e on DECE             | opriation right may<br>MBER 31, 2020 | be dismissed and ter                           | e matter of abandonment of this approp<br>minated upon completion of the propose<br>or within any extension of time<br>of Agriculture. | d project, said dismissal                 |
|                      |                       |                                      | to nearby water use<br>ed by this application. | rs, at no charge to said users, should t   | heir rights to use water                  |
| 4. Water us<br>Name: | se contact pe         | erson (in eyent eme<br>etharr        | ergency contact is ner                         | eded):<br>Telephone No. (67) 563   | -9441                                     |
| - Ain                | Signature of Beth     | Applicant                            | or   | Authorized Representative  | Date                                      |
| A                    | pplicant's Na         | me Printed                           | -  | Title  |   |
|                      |                       |                                      | DO NOT WRITE                                   | BELOW THIS LINE  |   |
| CONDITU              |                       |                                      | DO HOT HINTE                                   | DECOTION LINE  |   |

#### CONDITIONS OF APPROVAL:

C

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

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WATER RESOURCES RECEIVED

Unacceptable for Priority

KS DEPT OF AGRICULTURE

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

Mike Beam, Secretary



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

Laura Kelly, Governor

December 23, 2020

HIGH PLAINS PONDEROSA DAIRY LLC 2042 V RD PLAINS KS 67896

RE: Application, File No(s). 20209092

Dear Sir or Madam:

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

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

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

Sincerely,

nhans

Kris Neuhauser New Applications Lead Water Appropriation Program