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

Water Resources
Received

Dept Of Agriculture

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.

١.	Application is hereby made for approval of the Chief Engineer to change the
	☑ Place of Use
	(Check one or more) Diversion
	☐ Use Made of Water
	File No. <u>45295</u>
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: greg.bethard@hpp-dairy.com
	What is your relationship to the water right; ☐ owner ☐ tenant ☐ agent ☐ other? If other, please explain
	Name of water use correspondent: <u>SAME AS ABOVE</u>
	Address:
	City, State and Zip:
	Phone Number: ()
3.	The change(s) proposed herein are desired for the following reasons (please be specific): TO MOVE IRRIGATION LAND FROM SECTION 12 TO SECTION 24
	The change(s) (was) (will be) completed by UPON APPROVAL
	(Date) 3/31/2025 LMoody
Fo F.C	or Office Use Only: O

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File No. 45295

FEB 24 2025

KS Dept. of Agriculture

Any use of water that is not as authorized by the water right or permit to authorize water <u>before</u> 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.

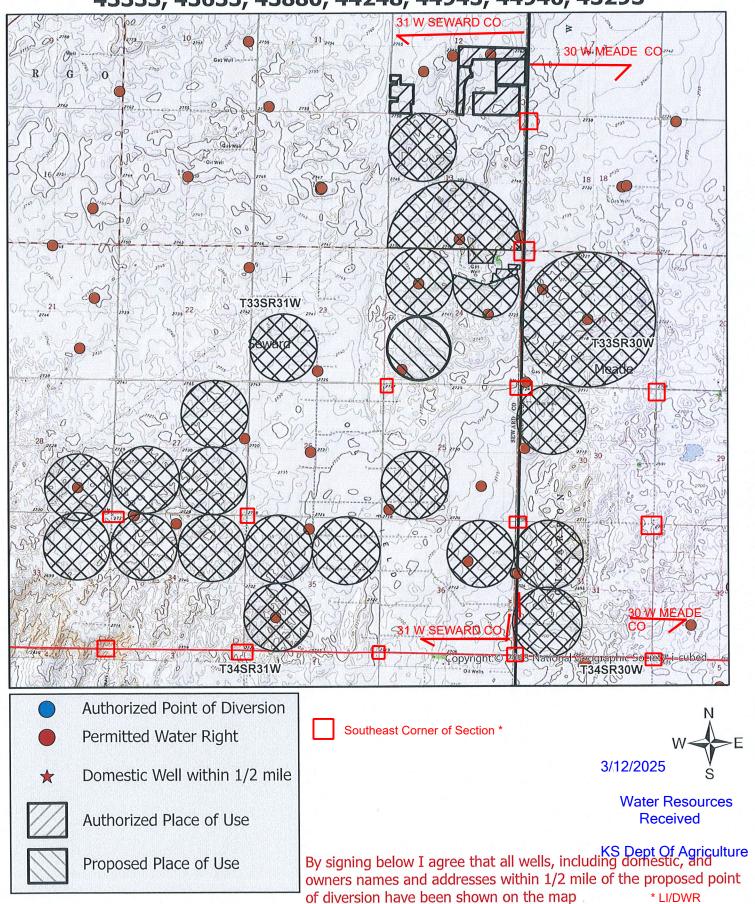
In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

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.

attorney, or an executor, executive, conservatory, it will be nec	cosary to attach	proper do	cuments sno	wing such authority.	
I declare that I am an owner of the currently authorized authorized to make this application on their behalf, and complete. By filing this application I authorize the chief as specified in sections 14 and 15 of this application.	declare furth	er that the	e statements	s contained herein	are true, correct, and
Dated at Plans	, Kansas, this	المالم	day of	Fib	20 25

Grea Betan				(Spouse)	
(Please Print)				(Please Print)	
(Owner)		1		(Spouse)	
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(Owner)				(Spouse)	
(Please Print)		410		(Please Print)	
State of Kansas) SS) SS					
hereby certify that the foregoing application was si	gned in my p	resence a	and sworn t	o before me this _	3rd day of
My Commission Expires 5-19-208 My Angel C	RYAN REIM tary Public - State T corres 5-19-	of Kansas	Ryan	Notary Public	
	FEE SCHEDU	ILE			-
Each application to change the place of use, the point of divergence application fee set forth in the schedule below:	rsion or the use	made of t	he water und	er this \$461@1/2021 56	accompanied by the
 (1) Application to change a point of diversion 300 fe (2) Application to change a point of diversion more to the change the place of use. (4) Application to change the use made of the water 	et or less han 300 feet			Water F	lesourc \$200 eived \$200 \$300
Make check payable to Kansas Department of Agriculture.					f Agricul ture

CHANGE IN PLACE OF USE WATER RIGHT, FILE NO. 22306, 26247, 40445, 41192, 41581, 42084, 42110, 42708, 43082, 43105, 43220, 43333, 43635, 43880, 44248, 44945, 44946, 45295



(Signature)

1/23/2025 AH/GCFO 1:45,000 Scale

Date

		45295 File No
2. The pr	resently authorized use of water is for	purposes.
It is pro	oposed that the use be changed to	purposes.
3. If char	nging the place of use and/or use made of water, describe how the nitation that the Quantity not exceed 3096 AF when cor	e consumptive use will not be increased.
43220,	, 43333, 43635 44248 & 44945 should be corrected to n	not exceed 3080 AF quantity with File Nos. 22306
4(1)	. ടി 20&4y കൂണ്യത്തുപ്പെള്ളുന്, 43333, 43635 44248 & 44945. I	I per email of M. Meyer.
	quested that the maximum annual quantity of water be reduced to	
5. It is re	quested that the maximum rate of diversion of water be reduced	to gallons per minute (c.f.s.).
1:24,0 66047 North	pplication must include either a topographic map or detailed plat 000, is available through the Kansas Geological Survey, 1930 Cons 7-3726 (www.usgs.gov). The map should show the location of the and West of the Southeast corner of the section must be shown. n. Identify the center of the section, the section lines and the section	presently authorized point(s) of diversion. Distances The presently authorized place of use should also be concorners and show the appropriate section, township,
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 I must be shown. Please be certain that the information show Paragraph Nos. 9, 10 and 11 of the application.	North and West of the Southeast corner of the section wn on the map agrees with the information shown in
2	If the source of supply is groundwater, please show the location wells, within ½ mile of the proposed well or wells. Identify e address of the property owner or owners. If there are no wells	each well as to its use and furnish name and mailing
3) If the source of supply is surface water, the names and maili and ½ mile upstream from your property lines must be shown.	ng addresses of all landowner(s) ½ mile downstream
b. If	a change in the place of use is desired, show the proposed plertain that the information shown on the map agrees with the info	ace of use by crosshatching on the map. Please be rmation shown in Paragraph No. 5 of the application.
local well l	h documentation to show the change(s) proposed herein will no source of supply as to which the water right relates. This inform ogs, test hole logs, and other information as necessary informat	nation may include statements, plats, geology reports,
made	e below.	State of Conses
idonti	proposed change(s) does not meet all applicable rules and regulify the rules and regulations for which you request a waiver. So	tate the reason why a waiver is needed and why the
reque will n	est should be granted. Attach documentation showing that granti of prejudicially and unreasonably affect the public interest.	ing the request will not impair existing water rights and

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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File No	

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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. Kansas, this Dated at (Please Print) (Please Print (Spouse) Owner) (Please Print) Please Print) (Owner) (Spouse) (Please Print) (Please Print) State of Kansas NOTARY PUBLIC - State of Kansas SS ADRIANA GÓMEZ County of Seward Appt. Expires 01. 25. 2026 before me this hereby certify that the foregoing application was signed presence and sworn February 20 25 My Commission Expires January 25, 2026

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

Make check payable to Kansas Department of Agriculture.

WATER RESOURCES
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MAR 0 3 2025

Tile No	
File No.	

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,

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d sworn to before me this day
Notary Public /
vater under this section shall be accompanied by the

Make check payable to Kansas Department of Agriculture.

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MAR 03 2025

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



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

Mike Beam, Secretary

Laura Kelly, Governor

March 28, 2025

HIGH PLAINS PONDEROSA DAIRY LLC 2042 V RD PLAINS KS 67869

RE: File No(s). 45295

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) to change the place of use, point of diversion or use made of water for 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(s) 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-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. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen Baum

New Applications and Changes Supervisor

Water Appropriation Program

Krister a Baum