

Kansas Department of Agriculture
 Division of Water Resources
PERMIT NEW APPLICATION WORKSHEET

1. File Number: <p style="text-align: center; font-size: 1.2em;">50401</p>	2. Status Change Date: <p style="text-align: center; color: purple;">1/8/2021</p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;">4</p>	4. GMD:
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5. Status: Approved Denied by DWR/GMD Dismiss by Request/Failure to Return

6. Enclosures: Check Valve N of C Form Water Tube Driller Copy Meter

7a. Applicant(s) Person ID **66124**
 New to system Add Seq# _____

ARDNT & JONES FEEDYARD LLC
~~1207 PRESBY DR~~ **1520 W 6TH**
EMPORIA, KS 66801

7b. Landowner(s) Person ID _____
 New to system Add Seq# _____

7a

7c. Landowner(s) Person ID _____
 New to system Add Seq# _____

7d. Misc. Person ID _____
 New to system Add Seq# _____

8. WUR Correspondent Person ID _____
 New to system Add Seq# _____
 Overlap File (s) WUC Notarized WUC Form
 Agree Yes No

7a

9. Use of Water: Changing? Yes No

Groundwater Surface Water

IRR REC DEW MUN

STK SED DOM CON

HYD DRG WTR PWR ART RECHRG

IND SIC: _____ OTHER: _____

10. Completion Date: ~~12/31/2021~~ **22** 11. Perfection Date: ~~12/31/2025~~ **26** 12. Exp Date: _____

13. Conservation Plan Required? Yes No Date Required: _____ Date Approved: _____ Date to Comply: _____

14. Water Level Measuring Device? Yes No Date to Comply: _____ Date WLMD Installed: _____

Date Prepared: **6/29/2020** By: **AM**

Date Entered: 1/11/2021 By: **L Moody**

File No. **50401** 15. Formation Code: **211** Drainage Basin: **WALNUT CREEK** County: **SC** Special Use: Stream:

16. Points of Diversion										17. Rate and Quantity					
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized		Additional		
											Rate gpm	Quantity mgy	Rate gpm	Quantity mgy	Overlap PD Files
MOD			88243	NW NE SE	30	18S	31W	5	2594	853	75	39.42	75	31.075	NONE
											(121 AF)		(95.37 AF)		

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

19. Limitation: **43.80** MG/yr at _____ gpm (_____ cfs) when combined with file number(s) **42595**
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

20. Meter Required? Yes No To be installed by **12/31/2022** Date Acceptable Meter Installed _____

21. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
MOD	DEL	ENT	PUSE	S	T	R	ID	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						
CHK			50129	30	18S	31W	2																		7a	N	42595		

Comments: 12/16/2020
KAB

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: June 18, 2020

FROM: Austin McColloch

RE: New Application,
File No. 50,401

Ardnt & Jones Feedyard LLC has filed the above referenced application proposing to appropriate a total of 39.42 million gallons (121 acre-feet) of groundwater per calendar year at a diversion rate not to exceed 75 gallons per minute for stockwatering use. The application overlaps in place of use with Water Right, File No. 42,595 located in the drainage basin of the Walnut Creek. The applicant has signed the application form stating that they have legal access to the point of diversion.

The source of supply appears to be the Ogallala formation (211).

The proposed point of diversion is one well located in the Northwest Quarter of the Northeast Quarter of the Southeast Quarter (NW¹/₄ NE¹/₄ SE¹/₄) of Section 30, more particularly described as being near a point 2,594 feet North and 853 feet West of the Southeast corner of said section, in Township 18 South, Range 31 West, Scott County, Kansas. Note: this is located outside the boundaries of the Groundwater Management District No. 1.

As stated above, this overlaps in place of use with Water Right, File No. 42,595 which is the only source of supply to the feedyard. New Application, File No. 50,401 is allowing a second diversion point for the future expansion of the feedyard.

The place of use is described as a Feedlot located in the Southeast Quarter (SE¹/₄) of Section 30, Township 18 South, Range 31 West. The applicant is the owner of the property.

The requested quantity of 39.42 million gallons was based on providing an adequate supply of water for a 8,000 head cattle facility. The applicant provided an estimate for drinking water quantity as follows:

8,000 head of cattle x 15.0 gallons per head per day x 365 days = 43,800,000 gallons

K.A.R. 5-3-22 provides for a maximum of 15 gallons per head per day for beef cattle. The requested quantity will be limited when combined with Water Right, File No. 42,595 to provide a total quantity not to exceed 43.80 million gallons. The requested quantity and rate of diversion appear to be reasonable for the intended use.

A safe yield analysis based on the area of consideration of 8,042 acres, a recharge of .60 inches, and 75% available for appropriation, resulted in a safe yield of 301.59 acre-feet. The only appropriation within the two-mile circle is overlapping Water Right, File No. 42,595, appropriating 12.725 million gallons (39.05 acre-feet). Therefore, there is safe yield available for this application requesting 39.42 million gallons (121 acre-feet), and safe yield criteria have been met.

There are no domestic wells located within one-half ($\frac{1}{2}$) mile of the proposed point of diversion. No written notices were sent. As noted above, the only water right within the two-mile radius circle is overlapping Water Right, File No. 42,595 located 2,150 feet away, so the application meets minimum well spacing criteria.

In a June 29, 2020 e-mail, Mike Meyer, Water Commissioner, Garden City Field Office, recommended approval of the application.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed.

Based on the above discussion, the area is open to new appropriations, the application complies with safe yield and well spacing criteria, approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest. It is recommended that the referenced application be approved.

Austin McColloch
Assistant Water Commissioner

From: Meyer, Mike [KDA]
Sent: Mon 6/29/2020 1:13 PM
To: McColloch, Austin [KDA]
Subject: RE: Recommendation New App File No. 50401

approve

Mike

From: McColloch, Austin [KDA] <Austin.McColloch@ks.gov>
Sent: Monday, June 29, 2020 11:55 AM
To: Meyer, Mike [KDA] <Mike.Meyer@ks.gov>
Subject: Recommendation New App File No. 50401

Mike,

Attached is my draft memo for the above referenced new application submitted by Ardnt & Jones Feedyard LLC. Also attached is the safe yield and updated application. We had to reduce the quantity requested due to the rate requested and ability to physically pump that quantity in a year. Let me know if you have any questions.

Thanks,

Austin J. McColloch

Assistant Water Commissioner
Kansas Department of Agriculture- DWR
Garden City Field Office
<http://agriculture.ks.gov/>
Ph: (620) 276-2901

From: Scott Murrison
Sent: Mon 6/22/2020 11:11 AM
To: McColloch, Austin [KDA]
Cc: Luke Arndt
Subject: RE: Ardnt New Application 50401

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Sounds good. Thanks for the help.

Scott A. Murrison
Murrison Environmental, Inc.
Cell Phone 620 260 6682

From: McColloch, Austin [KDA] [mailto:Austin.McColloch@ks.gov]
Sent: Monday, June 22, 2020 10:57 AM
To: Scott Murrison <scott@murrisonenvironmental.com>
Subject: RE: Ardnt New Application 50401

Scott,

Sorry we are not able to increase the rate after the application has been accepted. I will amend the application to have the quantity be changed to 39.42 million gallons. If in the future they do want to expand and are running low on supply we can explore the options then.

Austin J. McColloch
Assistant Water Commissioner
Kansas Department of Agriculture- DWR
Garden City Field Office
<http://agriculture.ks.gov/>
Ph: (620) 276-2901

From: Scott Murrison <scott@murrisonenvironmental.com>
Sent: Monday, June 22, 2020 8:24 AM
To: McColloch, Austin [KDA] <Austin.McColloch@ks.gov>
Cc: Luke Arndt <arndt.luke2@gmail.com>
Subject: RE: Ardnt New Application 50401

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Austin

Can we increase the rate to 85 gpm? The well driller believes the well will produce between 80-90 gpm. I would prefer to keep the quantity as high as possible in the event they want to expand in the future. If this is not possible, then the 39.42 million gallons will have to do.

Thanks

Scott A. Murrison
Murrison Environmental, Inc.
Cell Phone 620 260 6682

From: McColloch, Austin [KDA] [<mailto:Austin.McColloch@ks.gov>]
Sent: Thursday, June 18, 2020 9:55 AM
To: scott@murrisonenvironmental.com
Subject: Ardnt New Application 50401

Scott,

We have received the application to cover the well on the north side of the feedlot. I am reviewing it now and there seems to be a problem with the quantity and rate. The current request is 45 million gallons at 75 gallons per minute. It appears that at 75 gallons per minute only comes out to 39.42 million gallons when pumped year round. $75 \text{ gpm} \times 8760 \text{ hrs} (365 \text{ days} \times 24 \text{ hrs}) = 39.42 \text{ million gallons}$. We can not increase the rate or quantity after an application has been officially accepted, and we need the quantity to be reasonable with the rate. So we need to drop the quantity down to 39.42 million gallons requested. This comes out to about 13 gallons/head/day. Does Ardnt agree with the reduction? If so, all you will need to do is email me back stating so and I can amend the application.

Feel free to give me a call if you have any questions.

Thanks,

Austin J. McColloch
Assistant Water Commissioner
Kansas Department of Agriculture- DWR
Garden City Field Office
<http://agriculture.ks.gov/>
Ph: (620) 276-2901

From: Scott Murrison
Sent: Thu 5/21/2020 9:31 PM
To: Meyer, Mike [KDA]
Cc: McColloch, Austin [KDA]
Subject: RE: arndt

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Mike

The current permitted capacity is 7,837 (4837 head over 700 lbs and 3000 head under 700 lbs). This comes out to 42,907,575 gallons per year total at 15 gal/hd/day. I am out of town until Sunday. I will fill out the supplemental form when I get back, but I don't know their current or historical water use. I just started working with this yard a few months ago. I might have some water use through last month, but that is all I will have.

Scott A. Murrison
Murrison Environmental, Inc.
Cell Phone 620 260 6682

From: Meyer, Mike [KDA] [mailto:Mike.Meyer@ks.gov]
Sent: Thursday, May 21, 2020 5:10 PM
To: Scott Murrison <scott@murrisonenvironmental.com>
Cc: McColloch, Austin [KDA] <Austin.McColloch@ks.gov>
Subject: arndt

scott

sorry did not get you called back today on arndt feedlot.

Austin has an application ready to send to you for a new water right on that north well. we will need a proposed max flow number and a max quantity needed for the applicaton for file.

attached is a supplement sheet also to help project needs for this new wells and facility as a whole.

what the max water needs based on the KDHE permit at 15 gallons per head per day?

we will get you this application Friday or for sure Tuesday when Austin and I are available

thanks

also, they will need to dismiss the current application, or we can just amend the application to go from 2 wells to one well. fyi

Mike

Safe Yield Calculation Results - A5040100



Point of Diversion associated with this water right

SENENW 30-18S-31W 5 (88243)

Buffer Distance

Buffer Distance = 2 miles.

Analysis Results (in acre-feet)

The selected PD is in an area OPEN to new appropriations.

The safe yield based on the variables listed below is **301.59**

Total prior appropriations in the circle is **177.15**

Total quantity of water available for appropriation is **124.44**

Safe Yield Variables

The area used for the analysis is set at 8,042 acres.

Adjust Area

Reset Area

The potential annual recharge at the circle center is estimated to be 0.6 inches.

The percent of estimated safe yield available for appropriation is 75 %.

Water Right Filters:

HideFlag = 0 And RIGHT_TYPE IN ('A', 'V') And WRF_ACTIVE = 'Y' And FPV_ACTIVE = 'Y' And WRF_STATUS NOT IN ('AM', 'FO', 'GA', 'HW', 'KQ', 'LU', 'NQ')

Water Right-Based Analysis

Treat the Point of Diversion as a:

New Application WR Priority-Based

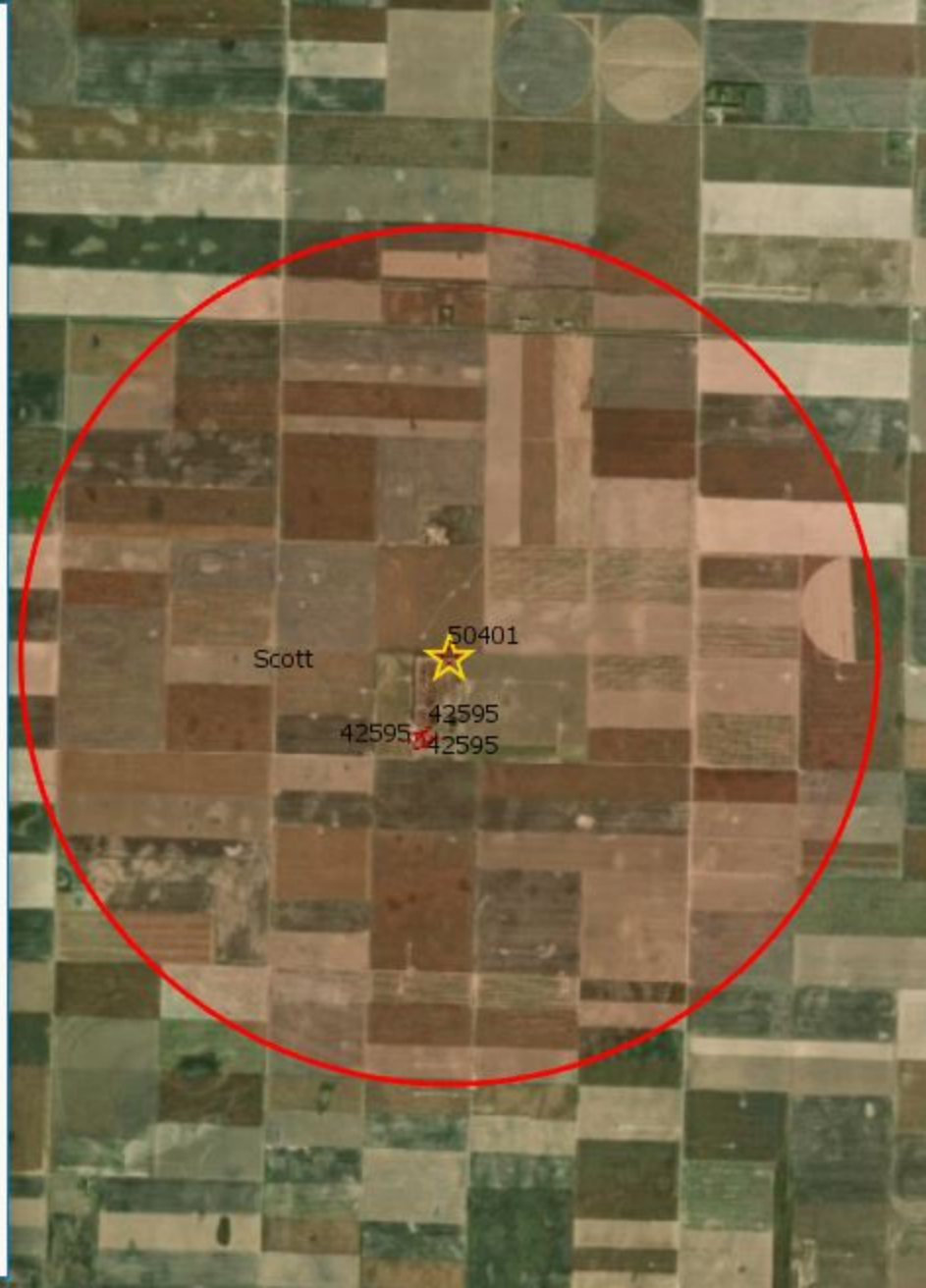
Reset Variables

Recalculate

Build Report

Close

The Safe Yield calculation uses only the water rights/points of diversion shown on the map display. Please be aware of any water right filters you may have in place. The calculation queries the map display for A or V rights that are active, non-dismissed and ground-water based. The calculation also includes the Equus Beds GMD #2 stream nodes, if present.



AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50401 00

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50401 00 STK

Water Right and Points of Diversion Within 2.00 of a point defined as:

2594 Feet North and 853 Feet West of the Southeast Corner of Section 30 Twp 18S Rng 31W

Both SURFACE WATER and GROUNDWATER

=====

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan						
A__	42595	00	STK	NK	G*				2030	--	SW	SE	SE	600	1231	30	18	31W	1	B2	39.05	39.05	
	AF																						
Same									2150	--	SE	SW	SE	519	1405	30	18	31W	4	G2			
Same									2277	--	SE	SW	SE	437	1580	30	18	31W	3	B2			
A__	50401	00	STK	AY	G				0	--	NW	NE	SE	2594	853	30	18	31W	5		138.10	138.10	
	AF																						
P__	20180194	00	IND	GY	G				9904	--	NE	NE	NE	5180	50	20	18	31W	2		.61	.61	
	AF																						

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Total Net Quantities Authorized:		Direct	Storage
Total Requested Amount (AF) =		138.10	.00
Total Permitted Amount (AF) =		.61	.00
Total Inspected Amount (AF) =		.00	.00
Total Pro_Cert Amount (AF) =		.00	.00
Total Certified Amount (AF) =		39.05	.00
Total Vested Amount (AF) =		.00	.00
TOTAL AMOUNT (AF) =		177.77	.00

An * after the source of supply indicates a pending application for change under the file number.

An * after the ID indicates a 15 AF exemption was granted under the file number.

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.

The number in the Batt column is the number of wells in the battery.

Water Right and Points of Diversion Within 2.00 of a point defined as:

2594 Feet North and 853 Feet West of the Southeast Corner of Section 30 Twp 18S Rng 31W

Both SURFACE WATER and GROUNDWATER

WATER USE CORRESPONDENTS:

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File Number	Use	ST	SR
> ARDNT & JONES FEEDYARD LLC			
>			
> 1207 PRESBY DR			
> EMPORIA KS 66801			
>-----			
> ARDNT & JONES FEEDYARD LLC			
>			
> 1207 PRESBY DR			
> EMPORIA KS 66801			
>-----			
> ABERCROMBIE ENERGY LLC			
>			
> 10209 W CENTRAL STE 2			
> WICHITA KS 67212			
>-----			

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THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., Chief Engineer

**APPROVAL OF APPLICATION
and
PERMIT TO PROCEED**

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 50,401** of the applicant

**ARDNT & JONES FEEDYARD LLC
1207 PRESBY DR
EMPORIA, KS 66801**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **June 12, 2020**.
2. That the water sought to be appropriated shall be used for stockwatering use in the Southeast Quarter (SE $\frac{1}{4}$) of Section 30, in Township 18 South, Range 31 West, Scott County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located in the Northwest Quarter of the Northeast Quarter of the Southeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 30, more particularly described as being near a point 2,594 feet North and 853 feet West of the Southeast corner of said section, in Township 18 South, Range 31 West, Scott County, Kansas located substantially as shown on the topographic map accompanying the application.
4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **75 gallons per minute (0.17 c.f.s.)** and to a quantity not to exceed **39.42 million gallons (121 acre-feet)** of water for any calendar year.
5. That installation of works for diversion of water shall be completed on or before **December 31, 2022** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.
6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2026** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That 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.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit 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.

12. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

13. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with 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.

14. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

15. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

16. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

17. That the quantity of water approved under this permit is further limited to the quantity which combined with Water Right, File No. 42,595, will provide a total **not to exceed 43.80 million gallons (134 acre-feet)** of water per calendar year, for stockwatering use at the location described herein.

Ordered this 8 day of January, 2021, in Manhattan, Riley County, Kansas.

Lane P. Letourneau

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

State of Kansas

County of Riley

EE FREEMAN
Appointment Expires
) 2024
) SS
)

The foregoing instrument was acknowledged before me this 8 day of January, 2021, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Ashlee Freeman

Notary Public

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.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 – 6777.

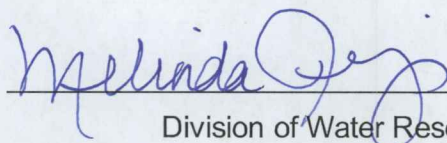
CERTIFICATE OF SERVICE

On this 14 day of January, 2021, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,401, dated 8 January, 2021 was mailed postage prepaid, first class, US mail to the following:

ARDNT & JONES FEEDYARD LLC
1207 PRESBY DR
EMPORIA, KS 66801

With photocopies to:

Garden City Field Office



Division of Water Resources

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

January 14, 2021

ARDNT & JONES FEEDYARD LLC
1207 PRESBY DR
EMPORIA, KS 66801

RE: Appropriation of Water, File No. 50,401

Dear Sir or Madam:

Enclosed is a permit authorizing you to proceed with construction of the proposed diversion works and to appropriate water for beneficial use as set forth in the permit. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in this permit.

Notice must be filed on the enclosed form once the diversion works have been completed. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of this permit. If you need an extension of time, you must request it before the deadline for completion set forth in the permit. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00.

An acceptable water flowmeter must be installed on the diversion works authorized by this permit prior to using water. An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year. If a complete annual water use report is not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your report online at www.kswaterusereport.org.

The approval of your application constitutes a permit to appropriate water. It does not give authority to construct any dam or other stream obstruction regulated by K.S.A. 82a-301 through 305a. It does not give authority to access any right-of-way or authorize trespassing upon or injury to public or private property. It may also be necessary for you to comply with other local, state or federal requirements.

Enclosed is an informational sheet that sets forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your perfected water right. Additional information and applicable forms may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any questions or need assistance with any of these requirements, 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 A. Baum
New Application and Change Unit Supervisor
Division of Water Resources

KAB:am
Enclosure(s)
pc: Garden City Field Office