

File No. 50,429	15. Formation Code: 113 Drainage Basin: Ninnescah River	County: SG	Special Use:	Stream:																																																																																										
<div style="display: flex; justify-content: space-between;"> <div style="width: 50%;"> <p>16. Points of Diversion</p> <p style="text-align: center; color: purple; font-weight: bold; font-size: 1.2em;">BATTERY ID #: 2301</p> <table border="1" style="width:100%; border-collapse: collapse; font-size: 0.8em;"> <thead> <tr> <th style="width: 10%;">MOD</th> <th style="width: 10%;">DEL</th> <th style="width: 10%;">ENT</th> <th style="width: 10%;">PDIV</th> <th style="width: 10%;">Qualifier</th> <th style="width: 5%;">S</th> <th style="width: 5%;">T</th> <th style="width: 5%;">R</th> <th style="width: 5%;">ID</th> <th style="width: 5%;">'N</th> <th style="width: 5%;">'W</th> </tr> </thead> <tbody> <tr> <td>MOD</td> <td></td> <td></td> <td></td> <td>88379</td> <td>NW NE SE</td> <td>28</td> <td>29S</td> <td>2W</td> <td>6</td> <td>2095 1135</td> <td>GEO</td> </tr> <tr> <td></td> <td>ENT</td> <td></td> <td></td> <td>89560</td> <td>NW NE SE</td> <td>28</td> <td>29S</td> <td>2W</td> <td></td> <td>2090 1135</td> <td>1</td> </tr> <tr> <td></td> <td>ENT</td> <td></td> <td></td> <td>89561</td> <td>NW NE SE</td> <td>28</td> <td>29S</td> <td>2W</td> <td></td> <td>2085 1135</td> <td>2</td> </tr> <tr> <td></td> <td>ENT</td> <td></td> <td></td> <td>89562</td> <td>NW NE SE</td> <td>28</td> <td>29S</td> <td>2W</td> <td></td> <td>2095 1140</td> <td>3</td> </tr> <tr> <td></td> <td>ENT</td> <td></td> <td></td> <td>89563</td> <td>NW NE SE</td> <td>28</td> <td>29S</td> <td>2W</td> <td></td> <td>2095 1130</td> <td>4</td> </tr> </tbody> </table> </div> <div style="width: 45%;"> <p>17. Rate and Quantity</p> <table border="1" style="width:100%; border-collapse: collapse; font-size: 0.8em;"> <thead> <tr> <th colspan="2">Authorized</th> <th colspan="2">Additional</th> <th rowspan="2">Overlap PD Files</th> </tr> <tr> <th>Rate gpm</th> <th>Quantity af</th> <th>Rate gpm</th> <th>Quantity af</th> </tr> </thead> <tbody> <tr> <td>800</td> <td>39</td> <td>800</td> <td>39</td> <td>none</td> </tr> <tr> <td></td> <td>MOD</td> <td></td> <td>MOD</td> <td></td> </tr> </tbody> </table> </div> </div>					MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	MOD				88379	NW NE SE	28	29S	2W	6	2095 1135	GEO		ENT			89560	NW NE SE	28	29S	2W		2090 1135	1		ENT			89561	NW NE SE	28	29S	2W		2085 1135	2		ENT			89562	NW NE SE	28	29S	2W		2095 1140	3		ENT			89563	NW NE SE	28	29S	2W		2095 1130	4	Authorized		Additional		Overlap PD Files	Rate gpm	Quantity af	Rate gpm	Quantity af	800	39	800	39	none		MOD		MOD	
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W																																																																																				
MOD				88379	NW NE SE	28	29S	2W	6	2095 1135	GEO																																																																																			
	ENT			89560	NW NE SE	28	29S	2W		2090 1135	1																																																																																			
	ENT			89561	NW NE SE	28	29S	2W		2085 1135	2																																																																																			
	ENT			89562	NW NE SE	28	29S	2W		2095 1140	3																																																																																			
	ENT			89563	NW NE SE	28	29S	2W		2095 1130	4																																																																																			
Authorized		Additional		Overlap PD Files																																																																																										
Rate gpm	Quantity af	Rate gpm	Quantity af																																																																																											
800	39	800	39	none																																																																																										
	MOD		MOD																																																																																											
<p>18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft</p>																																																																																														
<p>19. Limitation: _____ MG/yr at _____ gpm (_____ cfs) when combined with file number(s) _____</p> <p>Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____</p>																																																																																														
<p>20. Meter Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No To be installed by _____ Date Acceptable Meter Installed _____</p>																																																																																														
<p>21. Place of Use</p> <p style="font-size: 0.7em;">T MOD DEL ENT</p> <p style="font-size: 0.7em;">PUSE S T R ID</p>		NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	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																																																																													
MOD 70098		28	29S	2W	3											15	15			30	7a	no	none																																																																							
<p>Comments:</p>																																																																																														

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: May 9, 2022

FROM: Kris Neuhauser

RE: New Application,
File No. 50,429

Joe Youngers has filed an application to appropriate groundwater for irrigation use, requesting a battery of four (4) wells, with a quantity of 39 acre-feet of water per calendar year, at a diversion rate of 800 gallons per minute. The proposed battery of wells has a geographical center 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 28, more particularly described as being near a point 2,095 feet North and 1,135 feet West of the Southeast corner of said section, in Township 29 South, Range 2 West, Sedgwick County, Kansas, within the Ninnescah River drainage basin.

There are no other water rights overlapping the proposed point of diversion or place of use. The entire place of use is owned by the applicant. Mr. Youngers has signed the application form stating that he has legal access to the point of diversion.

Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within a two-mile radius of the point of diversion, which establishes the area of consideration. Evaluation of the area of consideration included the extent of the unconfined aquifer, which provided an area of consideration of 6,210 acres. With a potential annual recharge of 5.4 inches, and 75% of recharge available for appropriation, safe yield was determined to be 2,095.92 acre-feet. Existing water rights have appropriated 2,052.83 acre-feet, providing a difference of 43.09 acre-feet available for appropriation, and the application requesting 39 acre-feet complies with safe yield.

The test hole log that was submitted with the pending application, shows fine sand from 0-20 feet, coarse sand from 20-27 feet, coarse sand and amounts of clay from 27-53 feet, and shale from 53-58 feet. The static water level was listed at 15 feet, which provides a saturated thickness of 38 feet. The source of supply appears to be main stem alluvium of the Ninnescah River.

The place of use is 30 acres in the Southeast Quarter (SE $\frac{1}{4}$) of Section 28, Township 29, Range 2 West, Sedgwick County, Kansas. The proposed quantity of 39 acre-feet per calendar year provides 1.3 acre-feet per acre, making it the maximum reasonable quantity for Sedgwick County (1.3 x 30 acres = 39 acre-feet).

According to the WRIS database, the closest non-domestic wells are located over 1,800 feet away; a four well battery authorized by Appropriation of Water, File No. 49,078.

Two possible domestic wells within one-half mile of the point of diversion were identified by the applicant. Review of aerial photography and the WWC5 database backs this claim. One domestic well is just over 700 feet away from the proposed point of diversion. The applicant is

aware of this well and knows they will need to maintain a spacing of 660 feet to all wells within their battery (a condition will be included in the order noting this spacing requirement). Nearby letters were sent out on March 14, 2022, notifying of the diversion works proposed. No response of any kind was received.

In an e-mail conversation on May 9, 2022, Jeff Lanterman, Water Commissioner of the Stafford Field Office, and Cameron Conant, Assistant Water Commissioner of the Stafford 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, and approval of the application should not impair senior water rights nor prejudicially or unreasonably affect the public interest. Therefore, it is recommended that the referenced application be approved.

A handwritten signature in black ink, appearing to read "Kris Neuhauser". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Kris Neuhauser
New Applications Lead
Water Appropriation Program

Analysis Results

50429 PASSES SY*

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

The safe yield based on the variables listed below is 2,095.92 AF.

Total prior appropriations in the circle is 2,206.83 AF. **- 154 AF = 2052.83 AF**

Total quantity of water available for appropriation is 0.00 AF. **2095.92 AF - 2052.83 AF = 43.09 AF**

Safe Yield Variables

The area used for the analysis is set at 6,210 acres.

The potential annual recharge at the circle center is estimated to be 5.4 inches.

The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 10-MAR-2022 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 12 water rights and 29 points of diversion within the circle.

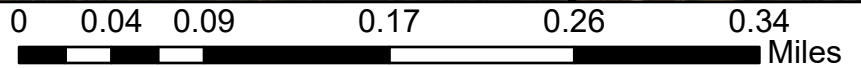
File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth Quant	Add Quant	Tot Acres	Net Acres
A 22856 00	IND	NK	G		NE	SE	SE	785	520	20	29	02W	4	PD	177.23	177.23		
Same	IND	NK	G		SE	SE	SE	420	536	20	29	02W	15	PD	177.23	177.23		
Same	IND	NK	G		NW	SW	SW	1252	4891	21	29	02W	3	PD	177.23	177.23		
A 23611 00	IND	NK	G		NW	SE	SW	727	3484	20	29	02W	7	PD	177.23	177.23		
Same	IND	NK	G		SW	SE	SW	520	3859	20	29	02W	16	PD	177.23	177.23		
A 35899 00	IND	NK	G		NW	SW	SE	701	2359	20	29	02W	19	WR	175.48	175.48		
A 36005 00	IND	NK	G		SE	SW	SE	636	1638	20	29	02W	10	WR	177.23	177.23		
A 38976 00	IND	NK	G		SW	NW	SE	1204	2374	20	29	02W	17	WR	151.15	0.00		
A 38977 00	IND	NK	G		SE	NE	SE	1416	156	20	29	02W	18	WR	171.71	154.74		
A 38978 00	IND	NK	G		SW	NE	SE	1790	1237	20	29	02W	13	WR	158.05	134.84		
A 46194 00	IRR	NK	G		NW	SW	NE	3808	2520	22	29	02W	5	WR	78.00	78.00	60.00	60.00
Same	IRR	NK	G		NW	SW	NE	3553	2511	22	29	02W	6	WR				
Same	IRR	NK	G		NW	SW	NE	3681	2516	22	29	02W	7	WR				
A 49078 00	IRR	KE	G		NE	SE	NE	3888	187	28	29	02W	1	WR	166.00	166.00	180.00	180.00
Same	IRR	KE	G		NE	SE	NE	3881	416	28	29	02W	2	WR				
Same	IRR	KE	G		SE	NE	NE	4165	227	28	29	02W	3	WR				
Same	IRR	KE	G		NE	SE	NE	3612	117	28	29	02W	5	WR				
Same	IRR	KE	G		NW	SW	NW	3803	5237	27	29	02W	5	WR				
A 49416 00	IRR	KE	G		SW	NE	SW	1535	3758	26	29	02W	5	WR	172.90	172.90	133.00	133.00
Same	IRR	KE	G		SE	NW	SW	1323	3970	26	29	02W	6	WR				
Same	IRR	KE	G		SE	NW	SW	1747	3970	26	29	02W	7	WR				
Same	IRR	KE	G		SW	NE	SW	1323	3546	26	29	02W	8	WR				
Same	IRR	KE	G		SW	NE	SW	1747	3546	26	29	02W	9	WR				
A 50129 00	IRR	KE	G		SE	NW	SW	1805	4275	35	29	02W	1	WR	107.50	107.50	77.90	77.90
Same	IRR	KE	G		NE	NW	SW	2015	4065	35	29	02W	2	WR				




File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth Quant	Add Quant	Tot Acres	Net Acres
Same	IRR	KE	G		NE	NW	SW	2015	4485	35	29	02W	3	WR				
Same	IRR	KE	G		SE	NW	SW	1595	4065	35	29	02W	4	WR				
Same	IRR	KE	G		SE	NW	SW	1595	4485	35	29	02W	5	WR				
A 50429 00	IRR	AY	G					1980	2640	28	29	02W	6	WR	154.00	154.00	135.00	135.00

Limitations

File Number	Seq Num	Limitations
A 38976 00	1	403.68MGY COM/W #22856, 23611, 35899, & 36005
A 38977 00	1	454.103MGY COM/W #22856, 23611, 35899, 36005 & 38976
A 38978 00	1	498.041MGY COM/W #22856, 23611, 35899, 36005, 38976 & 38977

APPROPRIATION OF WATER, FILE NO. 50,429



	Point of Diversion: 2095 feet N, 1135 feet W 28-29S-2W
	Nearby domestic well
	Place of Use: 30 acres

KRIS NEUHAUSER
3/11/2022
DWR HQ - MANHATTAN



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 PERMIT TO PROCEED

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 50,429** of the applicant

JOSEPH YOUNGERS
11745 S 311TH ST W
CONWAY SPRINGS, KS 67031

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 **August 26, 2020**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec.	Twp.	Range	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTAL
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
28	29S	2W													15	15			30

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of four (4) wells, with a geographical center located in the Northwest Quarter of the Northeast Quarter of the Southeast Quarter (NW¹/₄ NE¹/₄ SE¹/₄) of Section 28, more particularly described as being near a point 2,095 feet North and 1,135 feet West of the Southeast corner of said section, in Township 29 South, Range 2 West, Sedgwick 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 **800 gallons per minute (1.78 c.f.s.)** and to a quantity not to exceed **39 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, 2023** 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, 2027** 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 all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

13. That acceptable water flow meters shall be installed and maintained on the diversion works authorized by this permit in accordance with Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. These water flow meters 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).

14. 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.

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

16. 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.

17. 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.

18. That this permit is further limited such that all wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply, and shall supply water to a common distribution system.

19. That each well drilled and constructed under the authority of this permit shall comply with the required minimum well spacing of 660 feet to any senior domestic well pursuant to K.A.R. 5-4-4.

Ordered this 25 day of May, 2022, in Manhattan, Riley County, Kansas.

Lane P. Letourneau

Lane P. Letourneau, P.G.
Water Appropriation 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 25 day of May, 2022, by Lane P. Letourneau, P.G., Water Appropriation Program Manager, Division of Water Resources, Kansas Department of Agriculture.

Ashlee Freeman

Notary Public



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, Kansas 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, Kansas 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

CERTIFICATE OF SERVICE

On this day of , 2022, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,429, dated , 2022, was mailed postage prepaid, first class, US mail to the following:

JOSEPH YOUNGERS
11745 S 311TH ST W
CONWAY SPRINGS, KS 67031

With photocopies to:

Stafford 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

June 6, 2022

JOSEPH YOUNGERS
11745 S 311TH ST W
CONWAY SPRINGS, KS 67031

RE: Appropriation of Water, File No. 50,429

Dear Mr. Youngers:

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 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 Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum
New Applications and Changes Supervisor
Division of Water Resources

KAB: kjn
Enclosure(s)

pc: Stafford Field Office

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, Kansas 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, Kansas 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

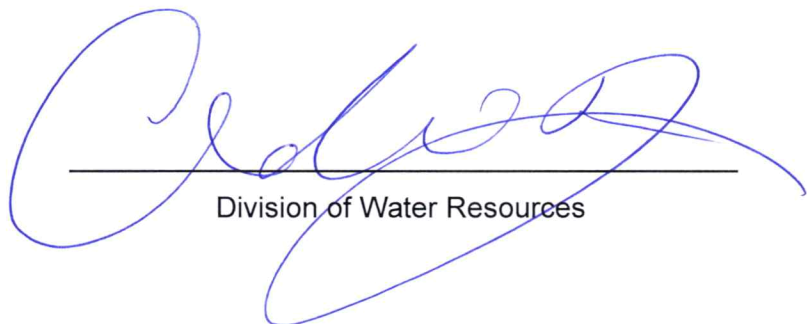
CERTIFICATE OF SERVICE

On this 6 day of June, 2022, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,429, dated 25 May, 2022, was mailed postage prepaid, first class, US mail to the following:

JOSEPH YOUNGERS
 11745 S 311TH ST W
 CONWAY SPRINGS, KS 67031

With photocopies to:

Stafford Field Office



 Division of Water Resources