

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

1. File Number: <p style="text-align: center; font-size: 1.2em;">50,493</p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em; color: purple;">4/28/2021</p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;">3</p>	4. GMD: <p style="text-align: center; font-size: 1.2em;">0</p>
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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 **63710**
New to system Add Seq# _____

TRAVIS J SNAVELY
83 N 200 RD
MILTONVALE, KS 67466

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

7a.

7c. Landowner(s) Person ID **1823**
New to system Add Seq# _____

GERALD L BRAUN TRUST
83 N 200TH RD
MILTONVALE, KS 67466

(MOD NAME)

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: 12/31/2022 11. Perfection Date: 12/31/2026 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: **2/11/2021** By: **DWS**
Date Entered: 5/3/2021 By: L Moody

4/20/2021
L Ireland

File No. 50,493	15. Formation Code: 330	Drainage Basin: SOLOMON RIVER	County: CD	Special Use:	Stream:																																																																																																																								
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th colspan="10">16. Points of Diversion</th> <th colspan="5">17. Rate and Quantity</th> </tr> <tr> <td>T MOD DEL ENT</td> <td>PDIV</td> <td>Qualifier</td> <td>S</td> <td>T</td> <td>R</td> <td>ID</td> <td>'N</td> <td>'W</td> <td></td> <td>Rate gpm</td> <td>Quantity af</td> <td>Rate gpm</td> <td>Quantity af</td> <td>Overlap PD Files</td> </tr> <tr> <td>√</td> <td>97</td> <td>NC W2 W2 NW</td> <td>32</td> <td>8</td> <td>2W</td> <td>1</td> <td>3960</td> <td>4685</td> <td></td> <td>900</td> <td>28.4</td> <td>900</td> <td>28.4</td> <td>25865 & 49140</td> </tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </table>						16. Points of Diversion										17. Rate and Quantity					T MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W		Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files	√	97	NC W2 W2 NW	32	8	2W	1	3960	4685		900	28.4	900	28.4	25865 & 49140																																																																											
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18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft																																																																																																																													
19. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____ Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____																																																																																																																													
20. Meter Required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No To be installed by 12/31/2022 Date Acceptable Meter Installed _____																																																																																																																													
21. Place of Use																																																																																																																													
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Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
M E M O R A N D U M

TO: Files

DATE: February 11, 2021

FROM: Doug Schemm

RE: New Application, File No. 50,493; Water Right, File No. 25,865; and Appropriation of Water, File No. 49,140

Travis Snavely has filed the above referenced new application to appropriate 28.4 acre-feet of groundwater at a diversion rate of 900 gallons per minute for irrigation use, from an existing irrigation well currently authorized under Water Right, File Nos. 25,865 and 49,140. The place of use is owned by the applicant, and Gerald L. Braun Trust, and the applicant has signed the application form stating he has access to the point of diversion. The application will be a complete overlap with the existing senior files in point of diversion and place of use, after change applications are approved for the senior files. The well is located in the Northwest Quarter of Section 32, Township 8 South, Range 2 West, in Cloud County.

Change in Place of Use Applications have been filed on both of the senior files to create a complete overlap in place of use of 128 acres. The files are located within the Solomon River basin. The referenced rights appear not to be abandoned as per K.S. A. 82a-718, and in compliance with K.S.A. 82a-732. In conjunction with the processing of File No. 50,493, the change applications appear to comply with K.A.R. 5-5-2a, *Complete application*. The applications for change were signed by Travis Snavely and Gerald Braun. The proposed change applications comply with part 6 of K.A.R. 5-5-11, *Applications for change in place of use for irrigation purposes*, with the additional 28.4 acre-feet that will be authorized under File No. 50,493, will be sufficient to cover any potential increase in consumptive use, complying with K.A.R. 5-5-3, *Change in consumptive use*.

The applicant proposes to create an exact overlap in the place of use between all of the referenced files for a total of 128 acres pursuant to K.A.R. 5-5-11(b)(1) *Identical places of use*. Water Right, File No. 25,865 is authorized 38 acre-feet at 435 gallons per minute, and File No. 49,140 is authorized 100 acre-feet all additional quantity of water, limited to 900 gallons per minute with the senior file. The total combined quantity that would be authorized under these files of 166.4 acre-feet (38 AF + 100 AF + 28.4 AF), is the maximum allowable to irrigate the proposed 128 acres (1.3 Acre-Foot per acre is the maximum allowed in Cloud County).

Based on the senior file review, and other nearby area well logs, it appears that the source of water is the unconfined Dakota aquifer system. Per K.A.R. 5-1-1(iiii) "Unconfined Dakota aquifer system" means that portion of the Dakota aquifer system not overlain by a confining layer in which the aquifer is in equilibrium with atmospheric pressure. Information from the senior water right well log shows a shallow sandstone layer extending from 23 feet to 49 feet below ground surface, and subsequent sandstone units extending from 87 feet to 103 feet, and from 118 to 240 feet below ground surface. Static water level was 30 feet below ground surface, well within the shallow sandstone layer. Other well logs in the northern and eastern portion of this area also support that this unconfined Dakota aquifer system extends throughout this local area, with shallow depths to water and relatively shallow depths to the aquifer. These hydrologic conditions also provide for greater recharge to the aquifer. With a static water level within the shallow sandstone layers, the aquifer would be unconfined (i.e. in equilibrium with atmospheric pressure).

However, in keeping with the senior file safe yield, several well logs in the southern portion of two-mile circle would be sourcing the confined Dakota aquifer system (including File No.49,182). Therefore, per K.A.R. 5-3-11, which applies to safe yield evaluations for all unconfined aquifers, since it was determined that the unconfined Dakota aquifer system does not extend into the southern portion of the circle, it was truncated out. Using an area of consideration of 5,576 acres, recharge of 2.5 inches, and 75% available, safe yield was determined to be 871.2 acre-feet, existing appropriations have appropriated only 273 acre-feet, leaving 598.2 acre-feet available, and this application requesting 28.4 acre-feet would meet safe yield. There are only four other prior water rights in this portion of the circle.

The applicant did not identify any domestic wells within one-half mile of the proposed point of diversion. A review of aerial photograph and WWC-5 database also don't indicate any nearby domestic wells. Therefore, no nearby well owner letters are required. The WRIS database shows that the nearest permitted well (File Nos. 26,141 and 49,182) is over 2,780 feet away. Therefore, the point of diversion complies with well spacing criteria for the unconfined Dakota aquifer system of one-half mile. In addition, this nearest well would appear to be sourcing the confined Dakota aquifer system.

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.

In a February 11, 2021 e-mail, Kelly Stewart, Water Commissioner, Stockton Field Office, recommended approval of the referenced applications. Based on the above discussion, well spacing and safe yield criteria are met, and approval of the new application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced new application be approved.

Based on the above discussion, that the changes are reasonable, that impairment to existing water rights is unlikely, and that no change in the local source of supply will occur, it is recommended the change applications be approved, in conjunction with the pending new application listed above.

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

Schemm, Doug [KDA]

From: Stewart, Kelly [KDA]
Sent: Thursday, February 11, 2021 9:34 AM
To: Schemm, Doug [KDA]; Billinger, Mark [KDA]; Hageman, Rebecca [KDA]
Subject: FW: Travis Snavelly
Attachments: 50493 25865 and 49140 Memo.docx; 50493 Safe Yield Report.pdf

Good morning Doug,

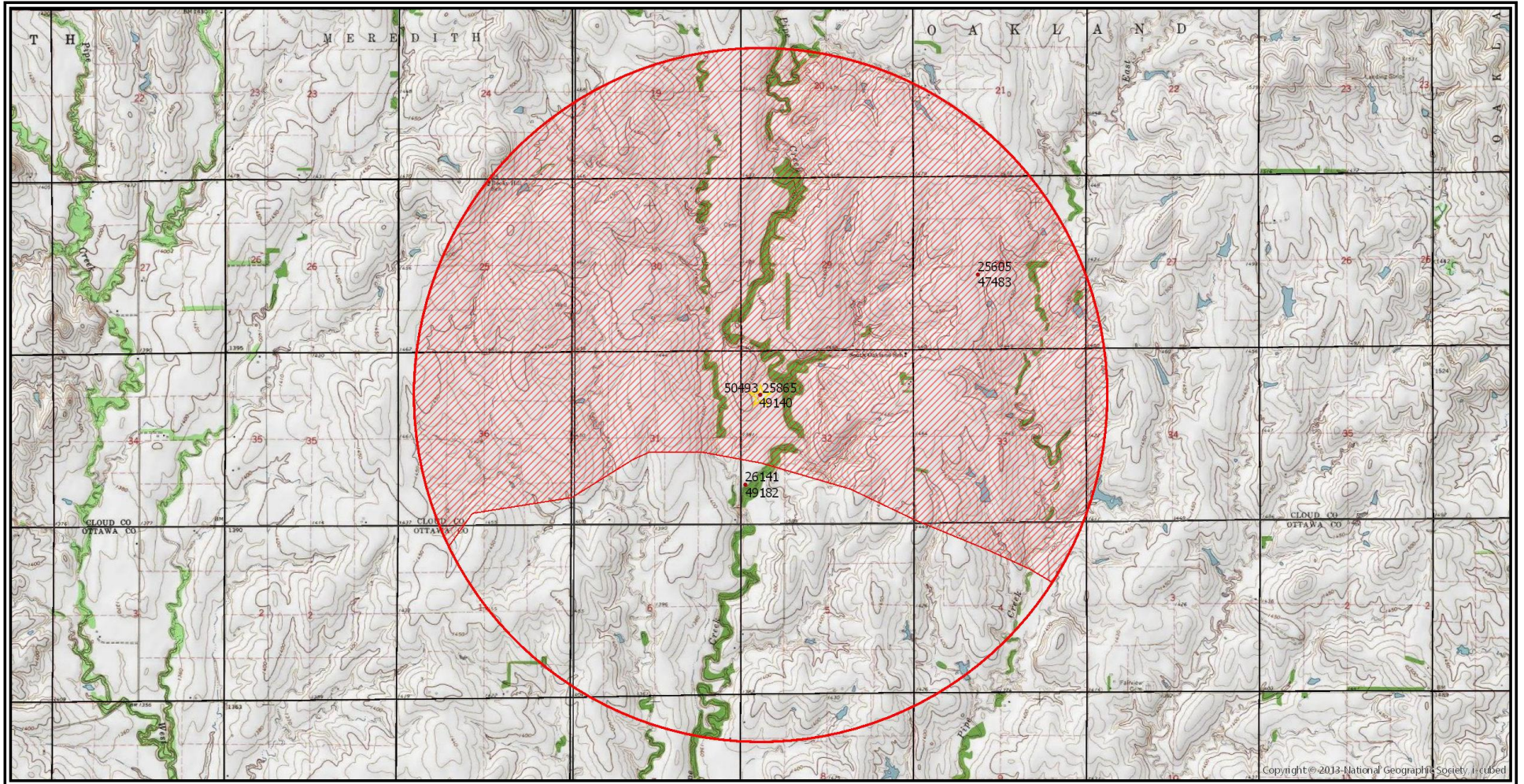
I would have no objection to the approval of this new application and the change application.

Kelly

From: Schemm, Doug [KDA] <Doug.Schemm@ks.gov>
Sent: Thursday, February 11, 2021 8:36 AM
To: Stewart, Kelly [KDA] <Kelly.Stewart@ks.gov>; Billinger, Mark [KDA] <Mark.Billinger@ks.gov>
Subject: Travis Snavelly

New app and PU changes on 2 senior files. No issues. Meets all the regulations.
Please review,
Doug

Safe Yield Report Sheet
Water Right- A5049300
Point of Diversion in 32-08S-02W
Footages from SE corner- 3,960 feet North 4,685 feet West



Analysis Results

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

The safe yield based on the variables listed below is 871.19 AF.

Total prior appropriations in the circle is 301.40 AF.

Total quantity of water available for appropriation is 569.79 AF.

Safe Yield Variables

The area used for the analysis is set at 5,576 acres.

The potential annual recharge at the circle center is estimated to be 2.5 inches.

The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 11-FEB-2021 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 5 water rights and 2 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 25605 00	IRR	NK	G		NW	NE	SW	2275	3300	28	08	02W	1	WR	65.00	65.00	104.00	104.00
A 25865 00	IRR	NK	G	NC	W2	W2	NW	3960	4685	32	08	02W	1	WR	38.00	38.00	106.00	106.00
A 47483 00	IRR	LR	G		NW	NE	SW	2275	3300	28	08	02W	1	WR	70.00	70.00	104.00	0.00
A 49140 00	IRR	LR	G	NC	W2	W2	NW	3960	4685	32	08	02W	1	WR	100.00	100.00	106.00	0.00
A 50493 00	IRR	AY	G	NC	W2	W2	NW	3960	4685	32	08	02W	1	WR	28.40	28.40	128.00	0.00

Limitations

File Number	Seq Num	Limitations
A 49140 00	1	900 GPM COM/W #25865

Report Date: Thursday, February 11 2021

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50493 00

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AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50493 00 IRR

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

3960 Feet North and 4685 Feet West of the Southeast Corner of Section 32 Twp 8S Rng 2W

GROUNDWATER ONLY

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File Number      Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth_Quan Add_Quan
Unit
A__ 25605 00 IRR NK G      7579 -- NW NE SW 2275 3300 28 8 2W 1      65.00 65.00
  AF
A__ 25865 00 IRR NK G      0 NC W2 W2 NW 3960 4685 32 8 2W 1      38.00 38.00
  AF
A__ 26141 00 IRR NK G      2788 -- NW SW SW 1211 5148 32 8 2W 3      37.00 37.00
  AF
A__ 47483 00 IRR LR G      7579 -- NW NE SW 2275 3300 28 8 2W 1      70.00 70.00
  AF
A__ 49140 00 IRR LR G      0 NC W2 W2 NW 3960 4685 32 8 2W 1     100.00 100.00
  AF
A__ 49182 00 IRR LR G      2788 -- NW SW SW 1211 5148 32 8 2W 3      92.00 92.00
  AF
A__ 50493 00 IRR AY G      0 NC W2 W2 NW 3960 4685 32 8 2W 1      28.40 28.40
  AF
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Total Net Quantities Authorized:   Direct      Storage
Total Requested Amount (AF) =      28.40          .00
Total Permitted Amount (AF) =         .00          .00
Total Inspected Amount (AF) =     262.00          .00
Total Pro_Cert Amount (AF) =         .00          .00
Total Certified Amount (AF) =     140.00          .00
Total Vested Amount (AF) =         .00          .00
TOTAL AMOUNT (AF) =      430.40          .00
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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:

3960 Feet North and 4685 Feet West of the Southeast Corner of Section 32 Twp 8S Rng 2W

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

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File Number      Use ST SR
> CHARLES MIKE & LINDA J RICHARD
>
> 1961 ACORN RD
> MILTONVALE KS 67466
>-----
> JOHN & GERALD BRAUN
>
> 83 N 200TH RD
> MILTONVALE KS 67466
>-----
> CHARLES MIKE & LINDA J RICHARD
>
> 1961 ACORN RD
> MILTONVALE KS 67466
>-----
> CHARLES MIKE & LINDA J RICHARD
>
> 1961 ACORN RD
> MILTONVALE KS 67466
    
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>-----  
> TRAVIS J SNAVELY  
>  
> 83 N 200 RD  
> MILTONVALE KS 67466  
>-----  
> CHARLES MIKE & LINDA J RICHARD  
>  
> 1961 ACORN ROAD  
> MILTONVALE KS 67466  
>-----  
> TRAVIS J SNAVELY  
>  
> 83 N 200 RD  
> MILTONVALE KS 67466  
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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. 50,493** of the applicant

TRAVIS J SNAVELY
83 N 200 RD
MILTONVALE, KS 67466

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 **December 21, 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	
31	8S	2W	1	30	30.5	8.5													70
32	8S	2W						28	30										58

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located near the center of the West Half of the West Half of the Northwest Quarter (W¹/₂ W¹/₂ NW¹/₄) of Section 32, more particularly described as being near a point 3,960 feet North and 4,685 feet West of the Southeast corner of said section, in Township 8 South, Range 2 West, Cloud 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 **900 gallons per minute (2.01 c.f.s.)** and to a quantity not to exceed **28.4 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 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 an acceptable water flow meter 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. 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).

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.

Ordered this 28 day of April, 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)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 28 day of April, 2021, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Ashlee Freeman

Notary Public

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

May 4, 2021

TRAVIS J SNAVELY
83 N 200 RD
MILTONVALE, KS 67466

RE: Appropriation of Water, File Nos. 50,493 and 49,140; and
Water Right, File No. 25,865

Dear Mr. Snavely:

Enclosed is a permit for File No. 50,493 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. Please note that both your existing well and all wells drilled under the authority of this permit must have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer.

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.

Travis Snavelly
File Nos. 50,493; 25,865; and 49,140
Page 2

In addition, enclosed are orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers. Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file numbers. Please return the required notification of completion of the diversion works and/or installation of the required meter as soon as these actions are completed. There is no fee for the notification of completion for File Nos. 25,865 and 49,140.

The order for Water Right, File No. 25,865, modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions or need assistance with any of these requirements, please contact our office at 785-564-6640 or your local Stockton Field Office at 785-425-6787. 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:dws:li

Enclosure(s)

pc: Stockton Field Office
Gerald L. Braun Trust

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 further judicial review under the Kansas Judicial Review Act.

CERTIFICATE OF SERVICE

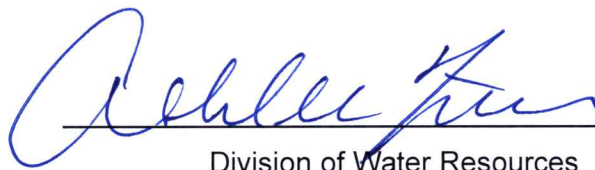
On this 5 day of May, 2021, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,493, dated 28 April, 2021, was mailed postage prepaid, first class, US mail to the following:

TRAVIS J SNAVELY
83 N 200TH RD
MILTONVALE KS 67466

With photocopies to:

GERALD L BRAUN TRUST
83 N 200TH RD
MILTONVALE KS 67466

Stockton Field Office



Division of Water Resources