

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

1. File Number: <div style="text-align: center;"><b>50,451</b></div>	2. Status Change Date: <div style="text-align: center;"><b>11/23/2021</b></div>	3. Field Office: <div style="text-align: center;"><b>3</b></div>	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) New to system <input type="checkbox"/> Person ID <b>15273</b> Add Seq# _____  <b>SALINE RWD 06</b> <b>PO BOX 2461</b> <b>SALINA, KS 67402</b>	7c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____
7b. Landowner(s) New to system <input type="checkbox"/> Person ID <b>62598</b> Add Seq# _____  <b>7a</b>	7d. Misc. New to system <input type="checkbox"/> Person ID _____ Add Seq# _____

8. WUR Correspondent New to system <input type="checkbox"/> Person ID _____ Add Seq# _____ Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No                      Notarized WUC Form <input type="checkbox"/>	9. Use of Water:    Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water <input type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input checked="" type="checkbox"/> <b>MUN</b> <input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON <input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG <input type="checkbox"/> IND    SIC: _____ <input type="checkbox"/> OTHER: _____
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10. Completion Date: **12/31/2023**            11. Perfection Date: **12/31/2027**            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: \_\_\_\_\_

**WAIVER INCLUDED**

\* 11/15/2021  
L'Ireland

Date Prepared: **10/15/2021**    By: **KJN**  
 Date Entered: 12/16/2021  
L'Moody    By: \_\_\_\_\_

File No. <b>50,451</b>	15. Formation Code: <b>330</b>	Drainage Basin: <b>SALINE RIVER</b>	County: <b>SA</b>	Special Use:	Stream:																																																																																																																
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="11">16. Points of Diversion</td> <td colspan="5">17. Rate and Quantity</td> </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></td> <td>Rate gpm</td> <td>Quantity mgy</td> <td>Rate gpm</td> <td>Quantity mgy</td> <td>Overlap PD Files</td> </tr> <tr> <td><b>CHK</b></td> <td><b>33107</b></td> <td><b>NW SW SW</b></td> <td><b>6</b></td> <td><b>15S</b></td> <td><b>3W</b></td> <td><b>5</b></td> <td><b>1240</b></td> <td><b>5194</b></td> <td><b>#1</b></td> <td></td> <td><del>40</del> <b>20</b></td> <td><del>8.0</del></td> <td><del>2</del> <b>6</b></td> <td><del>0</del> <b>0</b></td> <td><del>33496, 42286, 20209071</del></td> </tr> <tr> <td><b>CHK</b></td> <td><b>38293</b></td> <td><b>NW SW SW</b></td> <td><b>6</b></td> <td><b>15S</b></td> <td><b>3W</b></td> <td><b>4</b></td> <td><b>1225</b></td> <td><b>5233</b></td> <td><b>#2</b></td> <td></td> <td><b>20</b></td> <td></td> <td><b>25 *</b></td> <td><b>8</b></td> <td><b>*</b></td> </tr> <tr> <td colspan="11" style="text-align:center;"><b>rate saved by PD</b></td> <td colspan="5"></td> </tr> <tr> <td colspan="11" style="text-align:center;"><b>Q saved by WR</b></td> <td colspan="5" style="text-align:center;"><b>8mgy                      0mgy</b></td> </tr> <tr> <td colspan="16" style="text-align:right; border: 1px solid green; padding: 5px;"><b>11/18/2021</b> <b>KAB</b></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 mgy	Rate gpm	Quantity mgy	Overlap PD Files	<b>CHK</b>	<b>33107</b>	<b>NW SW SW</b>	<b>6</b>	<b>15S</b>	<b>3W</b>	<b>5</b>	<b>1240</b>	<b>5194</b>	<b>#1</b>		<del>40</del> <b>20</b>	<del>8.0</del>	<del>2</del> <b>6</b>	<del>0</del> <b>0</b>	<del>33496, 42286, 20209071</del>	<b>CHK</b>	<b>38293</b>	<b>NW SW SW</b>	<b>6</b>	<b>15S</b>	<b>3W</b>	<b>4</b>	<b>1225</b>	<b>5233</b>	<b>#2</b>		<b>20</b>		<b>25 *</b>	<b>8</b>	<b>*</b>	<b>rate saved by PD</b>																<b>Q saved by WR</b>											<b>8mgy                      0mgy</b>					<b>11/18/2021</b> <b>KAB</b>															
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18. Storage: Rate _____ NF      Quantity _____ ac/ft      Additional Rate _____ NF      Additional Quantity _____ ac/ft																																																																																																																					
19. Limitation: <b>8.0</b> MG/yr at <del>40</del> <b>40</b> gpm ( _____ cfs) when combined with file number(s) <b>33496, 42286</b>																																																																																																																					
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20. Meter Required? <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No      To be installed by _____ Date Acceptable Meter Installed _____																																																																																																																					
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<b>CHK</b>	<b>40523</b>	<b>6</b>	<b>15S</b>	<b>3W</b>	<b>1</b>	<b>WITHIN BOUNDARIES OF SALINE RWD 06 &amp; IMMEDIATE VICINITY</b>																	<b>7a</b>	<b>no</b>	<b>33496, 42286, 20209071</b>																																																																																												
Comments: <b>WAIVER OF 5-4-4(c) INCLUDED WITH APPROVAL</b>																																																																																																																					

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**

**M E M O R A N D U M**

**TO:** Files

**DATE:** August 12, 2021

**FROM:** Kris Neuhauser

**RE:** New Application,  
File No. 50,451

Rural Water District (RWD) No. 6 Saline County has filed an application to appropriate groundwater for municipal use, requesting two (2) wells, with a quantity of 8 million gallons (24.55 acre-feet) of water per calendar year, at a diversion rate of 40 gallons per minute. The two wells are existing, currently authorized by Water Right, File Nos. ~~33,496 and 42,286~~. "Well #1" is located in the Northwest Quarter of the Southwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 6, more particularly described as being near a point 1,240 feet North and 5,194 feet West of the Southeast corner of said section, and "Well #2" is located in the Northwest Quarter of the Southwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 6, more particularly described as being near a point 1,225 feet North and 5,233 feet West of the Southeast corner of said section, both in Township 15 South, Range 3 West, Saline County, Kansas, within the Saline River drainage basin. The source of supply is unconfined Dakota. Utilizing K.A.R 5-3-4(d)(1) for the two proposed wells as they are all less than 20 gpm and located within a 1/4 mile. \*

The proposed place of use is listed as: within the boundaries of Saline Rural Water District No. 6 and immediate vicinity, Section 6, Township 15 South, Range 3 West, Saline County, Kansas. The place of use overlaps with Water Right, File Nos. 33,496 and 42,286. The applicant owns the entire place of use and Darrell Griffin, on behalf of RWD No. 6 Saline County, has signed the application form stating they he have legal access to the points of diversion.

The quantity will be limited to 8 million gallons (24.55 acre-feet) when combined with File Nos. 33,496 and 42,286. The rate will also be limited to 40 gallons per minute when combined with File Nos. ~~33,496 and 42,286~~. \*

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 8,042 acres. With a potential annual recharge of 2.8 inches, and 75% of recharge available for appropriation, safe yield was determined to be 1,407.43 acre-feet. Existing water rights have appropriated 24.55 acre-feet, providing a difference of 1,382.88 acre-feet available for appropriation, and the application requesting 24.55 acre-feet complies with safe yield.

Thirteen domestic wells within one-half mile of the point of diversion were identified by the applicant. Nearby letters were sent out on May 5 and 19, 2021, notifying of the diversion works proposed. John Markby called in on May 10, 2021 with concern over the application. After an explanation, Mr. Markby felt more at ease, and was not against the approval of the application. Stockton Field Office's main line was also provided to him, for any future questions

that he had. Jason Fink emailed on May 11, 2021 and Allen Lindholm emailed on May 14, 2021, asking for clarification of what this application would mean for their domestic wells. Emails were sent back explaining the application, and the limitation that would be intact if approved. No further emails were received from either Mr. Fink or Mr. Lindholm. A letter was received from Mr. Stanley and Mrs. Beverly Seuser on May 14, 2021 outlining their concerns for their domestic well. No current or past impairment was referenced. *The standard comment acknowledgement letter was sent May 19, 2021. \**

The closest water right is under 600 feet away (Water Right, File No. 42,286) but is owned by the applicant. There are no other water rights within a two mile-radius. The closest domestic wells (3) are under 660 feet away. Since the proposed points of diversion are already existing and authorized under senior water rights; and with the limitations that will be in place, no additional quantity will be used and only 2 gpm additional quantity will be used. A waiver of K.A.R. 5-4-4(c) will be included with the application for both spacing to domestic wells and non-domestic wells.

In an e-mail conversation on August 18, 2021, Kelly Stewart, Water Commissioner of the Stockton 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, a waiver of 5-4-4(c) is included, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest. Therefore, it is recommended that the referenced application be approved.



Kris Neuhauser  
New Applications Lead  
Water Appropriation Program

\* LI/DWR

Kansas Department of Agriculture  
 Division of Water Resources  
**WAIVER REQUEST & WAIVER RULE WORKSHEET**

File Number: **50,451**

FO: **3**

GMD:

**WAIVER REQUEST:**

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
<b>MUN</b>	<b>10/15/2021</b>	<b>169</b>	<b>Statewide</b>	<b>Well Spacing</b>	<b>Domestic &amp; non-domestic wells</b>
Rule Number	Date Granted	Date Denied	Justification:	Three domestic wells fall within the allowable 660-foot radius, and three non-domestic wells (authorized by Water Right, File No. 42,286) fall within the allowable 1,320 radius. Water Right, File No. 42,286 is owned by the applicant. No additional quantity will be approved and only 2 gpm additional rate will be approved.	
<b>K.A.R. 5-4-4(c)</b>	<b>11/17/2021</b>				

**WAIVER RULE (complete only if a new rule needs to be created):**

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive
	<b>Statewide</b>	<b>Well Spacing</b>	<b>Domestic &amp; non-domestic wells</b>	<b>K.A.R. 5-4-4(c)</b>		

**COMMENTS: WILL BE NEW RULE\***

11/18/2021  
KJN

Date Prepared **10/18/2021** By **KJN**

Date Entered **12/16/2021** By **LMoody**

**From:** Stewart, Kelly [KDA]  
**Sent:** Wed 8/18/2021 9:33 AM  
**To:** Neuhauser, Kris [KDA]  
**Cc:** Billinger, Mark [KDA];Hageman, Nancy [KDA]  
**Subject:** RE: 50451 recommendation request

Kris,

I have no objection to the approval of this application with the waiver.

Kelly

---

**From:** Neuhauser, Kris [KDA] <Kris.Neuhauser@ks.gov>  
**Sent:** Tuesday, August 17, 2021 3:36 PM  
**To:** Stewart, Kelly [KDA] <Kelly.Stewart@ks.gov>  
**Cc:** Billinger, Mark [KDA] <Mark.Billinger@ks.gov>  
**Subject:** 50451 recommendation request

Kelly,

Here is 50451 for your review, GW app from Saline County RWD #6. Had some feedback from nearby's; I outline things in my memo in more detail – also attached the emails two sent in. Explained the 8.0 mgy limitation to a couple of them, which put them at ease. I know this overlaps an existing WR, but will it need a waiver for spacing to WR 42286 and domestics in the area? I reference a spacing waiver in red in my memo – can edit accordingly.

Thanks,

***Kris Neuhauser***

New Applications Lead  
Kansas Department of Agriculture, Division of Water Resources  
Phone: (785)564-6643

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Mike Beam, Secretary of Agriculture

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

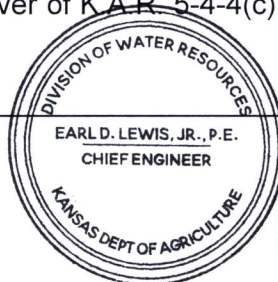
WAIVER OF REGULATION  
K.A.R. 5-4-4(c) Well spacing

Date: November 17, 2021

RE: Appropriation of Water, File No. 50,451

1. That K.A.R. 5-4-4(c)(1)(C) states: The minimum distance from the well which is the subject of the application to all other senior authorized non-domestic and non-temporary wells in the same aquifer or a hydraulically connected aquifer shall be: 1,320 feet for wells whose common source of supply is any other aquifer.
2. That K.A.R. 5-4-4(c)(2)(C) states: In addition to meeting the minimum spacing requirements of paragraph (1) above, the minimum distance from the well which is the subject of the application to all domestic wells, except where the domestic well owner has given the applicant written permission to reduce the spacing interval, shall be: 660 feet for wells whose common source of supply is any other aquifer.
3. That three domestic wells fall within the allowable 660-foot radius, and three non-domestic wells (authorized by Water Right, File No. 42,286) fall within the allowable 1,320 radius of the proposed wells under New Application, File No. 50,451.
4. That then non-domestic wells (Water Right, File No. 42,286) that fail spacing are also owned by the applicant.
5. That the proposed wells overlap with existing Water Right, File Nos. 33,496 and 42,286.
6. That the quantity will be limited to 8 million gallons when combined with File Nos. 33,496 and 42,286. Therefore, between File Nos. 33,496; 42,286; and 50,451, no additional quantity will be used.
7. That the rate will be limited to 40 gallons per minute (gpm) when combined with File Nos. 33,496 and 42,286, providing an additional rate of only 2 gpm.
8. That the proposed wells are existing and have been operating with no known impairment of nearby wells.
9. That a waiver of K.A.R. 5-4-4(c) will not prejudicially or unreasonably affect the public interest.

Comments:



*Earl D. Lewis Jr.*  
Earl D. Lewis Jr., P.E.  
Chief Engineer  
Division of Water Resources  
Kansas Department of Agriculture

# 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. 50,451** of the applicant

**SALINE RWD 06  
PO BOX 2461  
SALINA, KS 67402**

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 **October 2, 2020**.

2. That the water sought to be appropriated shall be used for municipal use within the boundaries of Saline Rural Water District No. 6 and the immediate vicinity, located in Section 6, Township 15 South, Range 3 West, Saline County, Kansas.

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of two (2) wells:

one (1) well located in the Northwest Quarter of the Southwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 6, more particularly described as being near a point 1,225 feet North and 5,233 feet West of the Southeast corner of said section, at a maximum diversion rate not in excess of **20 gallons per minute (0.04 c.f.s.)** and

one (1) well located in the Northwest Quarter of the Southwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 6, more particularly described as being near a point 1,240 feet North and 5,194 feet West of the Southeast corner of said section, at a maximum diversion rate not in excess of **20 gallons per minute (0.04 c.f.s.)** and to

both in Township 15 South, Range 3 West, Saline County, Kansas, located substantially as shown on the map accompanying the application.

4. That the appropriation sought shall be a quantity not to exceed **8 million gallons (24.6 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 rate of diversion of water approved under this permit is further limited to the rate which combined with Water Right, File No. 33,496 shall **not to exceed 20 gallons per minute (0.04 c.f.s.) from each authorized point of diversion.**

18. That the quantity of water approved under this permit is further limited to the quantity which combined with Water Right, File Nos. 33,496 and 42,286, will provide a total **not to exceed 8 million gallons (24.6 acre feet)** of water per calendar year.

Ordered this *23<sup>rd</sup>* day of *November*, 2021, in Manhattan, Riley County, Kansas.



*Earl D. Lewis, Jr.*

Earl D. Lewis, Jr., P.E.  
Chief Engineer  
Division of Water Resources  
Kansas Department of Agriculture

State of Kansas )  
                          ) SS  
County of Riley )

The foregoing instrument was acknowledged before me this *23* day of *November*, 2021, by Earl D. Lewis Jr., P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



*Ashlee Freeman*  
Notary Public

**DATA ENTRY SYSTEM ID NUMBER SHEET**

**FILE NUMBER** \_\_\_\_\_

<b>APPLICANT PERSON ID &amp; SEQ #</b>	<b>PDIV ID</b>	<b>BATTERY ID</b>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

<b>LANDOWNER PERSON ID &amp; SEQ #</b>	<b>PUSE ID</b>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

<b>WATER USE CORRESPONDENT PERSON ID &amp; SEQ #</b>
_____
_____
_____
_____

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

SALINE RWD 06  
PO BOX 2461  
SALINA, KS 67402

RE: Appropriation of Water, File No. 50,451

Dear Sir or Madam:

Enclosed is a permit authorizing you to proceed with 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.kswateruserreport.org](http://www.kswateruserreport.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](http://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 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 Applications and Changes Supervisor  
Division of Water Resources

KAB: kjn:li  
Enclosure(s)

pc: Stockton Field Office  
Douglas S. Helmke, P.G., Kansas Rural Water Association

**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**

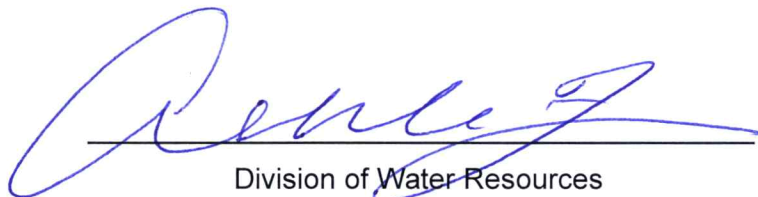
On this 23 day of November, 2021, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,451, dated 23 November, 2021, was mailed postage prepaid, first class, US mail to the following:

SALINE RWD 06  
 PO BOX 2461  
 SALINA, KS 67402

With photocopies to:

Douglas S. Helmke, P.G.  
 Kansas Rural Water Assn.  
 6847 SE 29th Street  
 Tecumseh, KS 66542-9571

Stockton Field Office



Division of Water Resources