

File No. **50,357** 15. Formation Code: **140** Drainage Basin: **KANSAS RIVER** County: **PT** Special Use: Stream:

16. Points of Diversion										
MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W		
√	63034	SE SW SW	29	9S	9E	7	374	4006	(Geo-Ctr)	
√	63035	SE SW SW	29	9S	9E	8	327	4002	(Batt 1 of 2)	
√	63036	SE SW SW	29	9S	9E	9	421	4013	(Batt 1 of 2)	

17. Rate and Quantity MOD ADDL RATE & QTY				
Authorized		Additional		
Rate gpm	Quantity mgy	Rate gpm	Quantity mgy	Overlap PD Files
90	7.0	90	7.0	43,416

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

19. Limitation: _____ mg/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? Yes No To be installed by **12/31/2021** Date Acceptable Meter Installed _____

21. Place of Use							NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	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							
√	51904	29	9	9E	3	POULTRY FACILITY- S2 SW																					7a	NO	43,416

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: April 29, 2020

FROM: Doug Schemm

RE: Application, File No. 50,357

Nelson Poultry Farms Inc. %Greg Nelson has filed the referenced application to appropriate 7 million gallons (21.48 acre-feet) of groundwater from an existing battery of two wells, at a rate of diversion of 90 gallons per minute for industrial use at a poultry rearing facility located in the South Half of the Southwest Quarter of Section 29, in Township 9 South, Range 9 East, Pottawatomie County. This is within the drainage basin of the Kansas River. The proposed place of use is wholly owned by the applicant, and the application form has been signed by the applicant, stating he has access to the point of diversion. Water Right, File No. 43,416 overlaps in point of diversion and place of use. The additional quantity of water requested under this new application will provide the applicant additional water as they increase their poultry count to the original plan of 300,000 chickens. File No. 43,416 failed to perfect adequate water and the final extension to perfect water ended in 2017, before the second building was fully utilized. This new application will provide the owner the ability to perfect additional water, but still substantially less than originally authorized.

The applicant identified multiple domestic and non-domestic well owners within one-half (½) mile of the proposed point of diversion, which complies with K.A.R. 5-3-4. These nearby well owners were previously notified during processing of the senior file and a subsequent change in point of diversion. Concerns were expressed by Pottawatomie County RWD #1 during processing of the senior file, File No. 43,416. Ground Water Associates prepared a report that stated that the District's wells would not be impacted by approval of File No. 43,416. NOTE: This was based on the applicant's senior water right pumping 14 million gallons at 200 gpm, while the new application is requesting only 7 million gallons at 90 gpm.

The application does not meet spacing to the geographic center of a well battery authorized under Water Right, File No. 42,559 for irrigation use, located approximately 850 feet away. During processing of the change in point of diversion, a signed statement was received from Carl Meyer (Horticultural Services Inc.) owner of File No. 42,559, stating that he was aware that Mr. Nelson's point of diversion did not meet spacing requirements, but chances of impairment were minimal and he offered no objection. File No. 42,559 is authorized only 6 acre-feet at 140 gallons per minute, and is used to water nursery stock through drip irrigation. These wells have been in place and operating for over 20 years with no known concerns. With the limited rate of diversion (90 gpm), and the reduced quantity of water compared to the senior file, approval of this application would not result in any impairment of senior water rights. Pursuant to K.A.R. 5-4-4, the required minimum well spacing criteria is not necessary to prevent direct impairment in this specific instance, and the proposed well spacing is sufficient to prevent direct impairment and to protect the public interest.

The application complies with well spacing to all domestic wells and all other non-domestic wells other than File No. 42,559. The nearest domestic well is located over 1,400 feet away. As noted above, nearby well owners have previously been notified, all area well owners are obviously aware of this existing operation, the new application is for less quantity and rate of water, and the wells have been in operation for over 20 years with no concerns, no additional notification of nearby well owners is necessary.

A review of the senior file, and area well logs indicate that the source of water is glacial deposits (Kansan Stage - 140). A review of the well log for this application shows interbedded clays and fine sands with some layers of coarse sand and gravel. Shale bedrock was encountered at 153 feet below ground surface. The well was screened from 124 feet to 144 feet below ground.

Screening the well just above bedrock is very typical of glacial aquifers with the primary aquifer close to or immediately on top of the bedrock. Static water level is 80 feet below ground surface. With shallow sand layers and a gravel pack up to 73 feet below ground surface, this indicates that the aquifer is not under confining conditions. Estimated yield of the well was 42 gpm, according to the well log.

Based on area wells, and processing of a nearby senior file (49,420), it appears that the aquifer does not extend into the northwestern portion of the two-mile circle because bedrock is near the surface. Therefore, the area of consideration was based on the limits of the glacial deposits, (truncating out the bedrock) providing an area of 7,145 acres. With a potential recharge of 3.5 inches, and 75% available for appropriation (Kansas River Basin), safe yield was determined to be 1,563.07 acre-feet. Prior appropriations total 1,513.73 acre-feet, leaving 49.34 acre-feet available, and the application requesting 21.48 acre-feet complies with safe yield.

The requested quantity of water of 7 million gallons was based on providing an adequate supply of water for 300,000 chickens. The applicant provided an estimate for water, as follows: 300,000 chickens x 6.4 gallons per 100 birds per day x 365 days = 7 million gallons. However, the regulations allow for up to 9 gallons per 100 birds, which would be equivalent to 9.9 million gallons. Water Right, File No. 43,416 was recently certified for 2.29 million gallons at 31 gallons per minute. Therefore, no limitations are required on this junior file.

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 an April 28, 2020 e-mail, Katie Tietsort, Water Commissioner, Topeka Field Office, recommended approval of the referenced application. Based on the above discussion, reduced well spacing and safe yield criteria are met, approval will provide for additional water for expansion of the facility, and 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.

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

Schemm, Doug [KDA]

From: Tietsort, Katie [KDA]
Sent: Tuesday, April 28, 2020 7:55 AM
To: Schemm, Doug [KDA]
Subject: RE: 50357 Greg Nelson Poultry

Doug,

This file appears to be about half the original file in rate and quantity so therefore the TFO has no objections to approval at this time.

Thank you,
Katie

Katie Tietsort
Water Commissioner

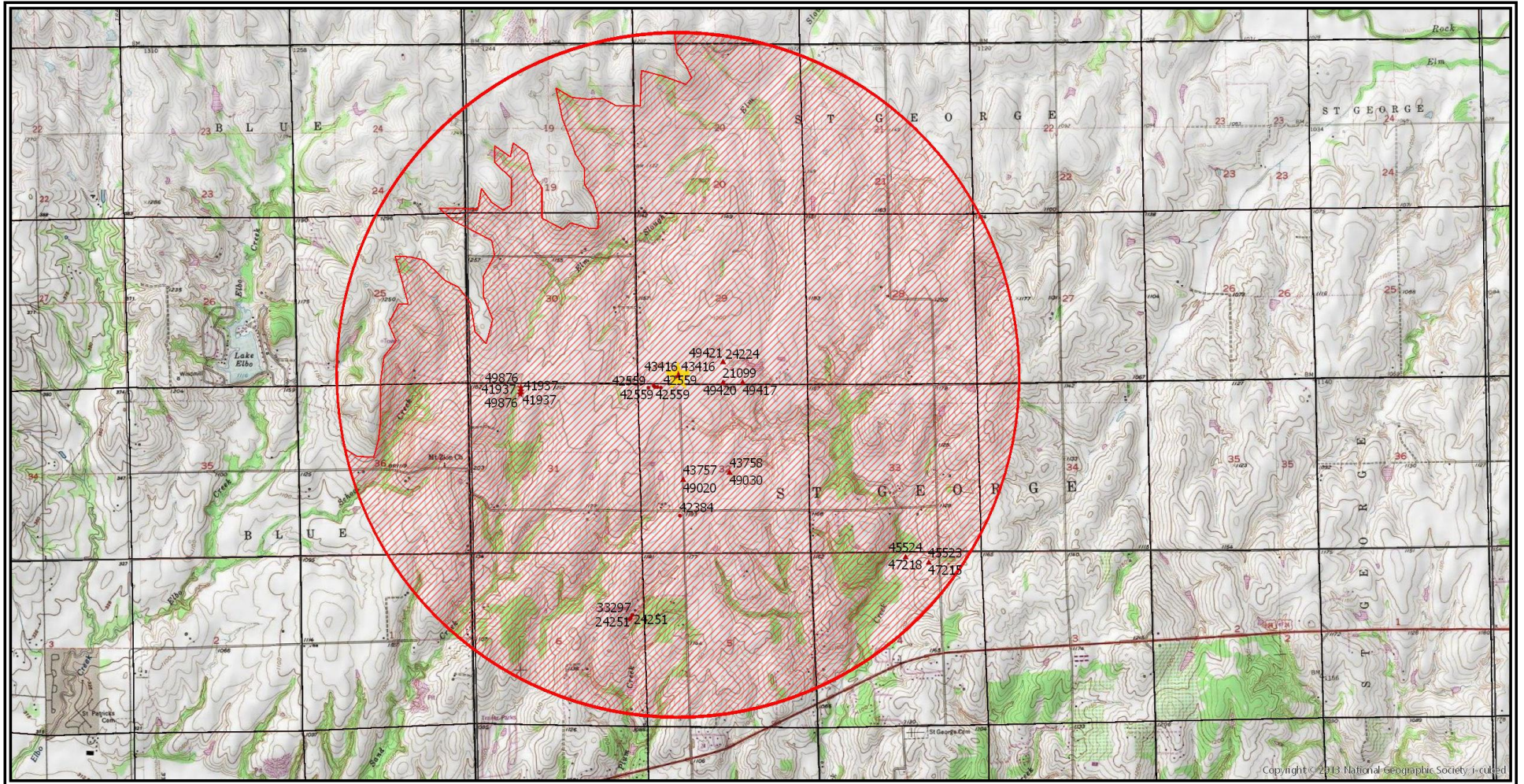
Katie.Tietsort@ks.gov
785-296-5733

PLEASE NOTE OUR NEW ADDRESS:
Kansas Department of Agriculture
Topeka Field Office
1131 SW Winding Rd, Suite 400
Topeka, KS 66615

From: Schemm, Doug [KDA] <Doug.Schemm@ks.gov>
Sent: Thursday, April 23, 2020 1:31 PM
To: Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>
Subject: 50357 Greg Nelson Poultry

Additional water from existing well battery. Greg failed to perfect his senior file due to delay in getting building done. This new application is for less water and rate than the senior file. It does not meet spacing to IRR well under 42,559 about 850 feet away. But the owner of 42,559 provided a written statement he was ok with reduced spacing during a pd change on the senior file. Both the new application and this IRR well are small quantities and rates. Will cause no impairment. Please review.
Doug

Safe Yield Report Sheet
Water Right- A5035700
Point of Diversion in 29-09S-09E
Footages from SE corner- 374 feet North 4,006 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 1,563.07 AF.
 Total prior appropriations in the circle is 1,450.37 AF. + 30.56 AF + 32.8 AF = 1,513.73 AF
 Total quantity of water available for appropriation is ~~142.70~~ AF.
49.34

Application File No. 50,357 - Requesting 21.48 AF
 Meets Safe Yield
 dws/dwr 4/23/20

Safe Yield Variables

The area used for the analysis is set at 7,145 acres.
 The potential annual recharge at the circle center is estimated to be 3.5 inches.
 The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 22-APR-2020 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 21 water rights and 22 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 21099 00	MUN	NK	G		SW	SW	SE	130	2611	29	09	09E	1	WR	184.13	184.13		
A 24224 00	MUN	NK	G		NW	SW	SE	764	2603	29	09	09E	3	WR	47.26	47.26		
A 24251 00	IRR	NK	G	NC	E2	SE	NE	3300	325	06	10	09E	2	WR	4.50	4.50	54.00	54.00
Same	IRR	NK	G		NE	SE	NE	3380	300	06	10	09E	1	WR				
A 33297 00	IRR	NK	G	NC	E2	SE	NE	3300	325	06	10	09E	2	PD	6.80	6.80	54.00	0.00
Same	IRR	NK	G		SE	SE	NE	3150	350	06	10	09E	3	PD	10.00	10.00		
Same	IRR	NK	G		NE	SE	NE	3380	300	06	10	09E	1	PD	6.80	6.80		
A 41937 00	IND	NK	G		NW	NE	NW	5026	3680	31	09	09E	3	WR	1.53	1.53		
Same	IND	NK	G		NW	NE	NW	5219	3660	31	09	09E	2	WR				
Same	IND	NK	G		NW	NE	NW	5123	3670	31	09	09E	1	WR				
A 42384 00	IRR	NK	G		NE	SW	SW	1239	4034	32	09	09E	2	WR	8.00	8.00	25.00	25.00
A 42559 00	IRR	NK	G		NW	NW	NW	5250	4726	32	09	09E	3	WR	6.00	6.00	65.00	65.00
Same	IRR	NK	G		NW	NW	NW	5260	4660	32	09	09E	4	WR				
Same	IRR	NK	G		NW	NW	NW	5282	4768	32	09	09E	5	WR				
Same	IRR	NK	G		NW	NW	NW	5231	4935	32	09	09E	6	WR				
Same	IRR	NK	G		NW	NW	NW	5227	4541	32	09	09E	7	WR				
A 43416 00	IND	NK	G		SE	SW	SW	374	4006	29	09	09E	7	WR	7.03	7.03		
Same	IND	NK	G		SE	SW	SW	327	4002	29	09	09E	8	WR				
Same	IND	NK	G		SE	SW	SW	421	4013	29	09	09E	9	WR				
A 43757 00	MUN	LO	G		NW	NE	SW	2372	3912	32	09	09E	8	WR	135.00	135.00		
A 43758 00	MUN	LO	G		NW	NW	SE	2568	2470	32	09	09E	9	WR	160.01	160.01		
A 45523 00	MUN	LO	G		NE	NW	NE	5122	1671	04	10	09E	2	WR	33.60	33.60		
A 45524 00	MUN	LO	G		NW	NW	NE	5278	2360	04	10	09E	3	WR	33.60	3.04 + 30.56 AF		
A 47215 00	MUN	LO	G		NE	NW	NE	5122	1671	04	10	09E	2	WR	100.00	41.14 + 32.8 AF		
A 47218 00	MUN	LO	G		NW	NW	NE	5278	2360	04	10	09E	3	WR	100.00	0.00 ✓		

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 49020 00	MUN	LO	G		NW	NE	SW	2372	3912	32	09	09E	8	WR	133.74	133.74		
A 49030 00	MUN	LO	G		NW	NW	SE	2568	2470	32	09	09E	9	WR	108.73	108.73		
A 49417 00	MUN	LO	G		SW	SW	SE	126	1997	29	09	09E	2	WR	273.99	273.99		
A 49420 00	MUN	LO	G		SW	SW	SE	130	2611	29	09	09E	1	WR	69.97	69.97		
A 49421 00	MUN	LO	G		NW	SW	SE	764	2603	29	09	09E	3	WR	200.21	200.21		
A 49876 00	IND	KE	G		NW	NE	NW	5026	3680	31	09	09E	3	WR	10.40	8.87		
Same	IND	KE	G		NW	NE	NW	5219	3660	31	09	09E	2	WR				
Same	IND	KE	G		NW	NE	NW	5123	3670	31	09	09E	1	WR				
A 50357 00	IND	AY	G		SE	SW	SW	374	4006	29	09	09E	7	WR	21.48	-0.00		✓
Same	IND	AY	G		SE	SW	SW	327	4002	29	09	09E	8	WR				
Same	IND	AY	G		SE	SW	SW	421	4013	29	09	09E	9	WR				

Limitations

File Number	Seq Num	Limitations
A 33297 00	1	ID01 06 10 09E LIMIT 33GPM & ID02 LIMIT 67GPM COM/W #24251
A 45524 00	109.3 AF 1	35.622MGY COM/W #9,157; 36,782; 38,090; 38,383 & 45,523 Added in 30.56 AF due to senior files not in circle. ✓
A 47215 00	141.14 AF 1	45.990MGY COM/W #38090, 45523 & 45524 33.6 AF + 33.6 AF = 67.2 AF 141.14 AF - 67.2 AF = 73.94 AF ✓
Same	2	75GPM COM/W #45523
A 47218 00	141.14 AF 1	45.990MGY COM/W #38090, 45523, 45524 & 47215 67.2 AF + 41.14 AF + 32.8 AF = 141.14 AF ✓ 73.94 AF - 41.14 AF = 32.8 AF ✓
Same	2	75GPM COM/W #45524
A 49020 00	1	250 GPM COM/W #43757
A 49030 00	1	300 GPM COM/W #43758
A 49420 00	1	285 GPM COM/W #21099
A 49421 00	1	280 GPM COM/W #24224
A 49876 00	1	3.39 MGY @50 GPM COM/W #41937 ✓

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Christopher W. Beightel, Acting 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. 50,357** of the applicant

NELSON POULTRY FARMS INC
% GREG NELSON
8530 E US HIGHWAY 24
MANHATTAN KS 66502-8663

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 **March 5, 2020**.
2. That the water sought to be appropriated shall be used for industrial use at a poultry facility located in the South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$) of Section 29, Township 9 South, Range 9 East, Pottawatomie County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of two (2) wells with a geographic center located in the Southeast Quarter of the Southwest Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 29, more particularly described as being near a point 374 feet North and 4,006 feet West of the Southeast corner of said section, in Township 9 South, Range 9 East, Pottawatomie 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 **90 gallons per minute (0.2 c.f.s.)** and to a quantity **not to exceed 7.0 million gallons** (21.48 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, 2021** 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, 2025** 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 *29* day of *October*, 2020, 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 *29* day of *October*, 2020, 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

November 9, 2020

NELSON POULTRY FARMS INC
Attn: GREG NELSON
8530 E US HIGHWAY 24
MANHATTAN KS 66502-8663

RE: Appropriation of Water, File No. 50,357

Dear Mr. Nelson:

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 Topeka Field Office at 785-296-5733. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum
New Application Unit Supervisor
Division of Water Resources

KAB:dws
Enclosure(s)

pc: Topeka 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 further judicial review under the Kansas Judicial Review Act.

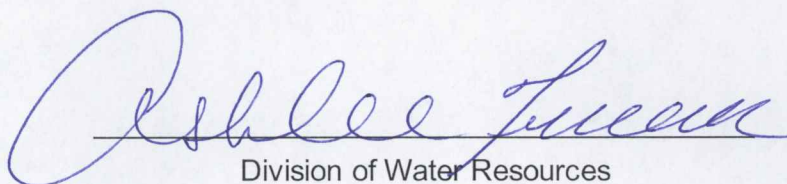
CERTIFICATE OF SERVICE

On this 10 day of November, 2020, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,357, dated 29 October was mailed postage prepaid, first class, US mail to the following: 2020

NELSON POULTRY FARMS INC
% GREG NELSON
8530 E US HIGHWAY 24
MANHATTAN KS 66502-8663

With photocopies to:

Topeka Field Office


Division of Water Resources