

| | | | |
|------------------------|---|-------------------|--|
| File No. 51,154 | 13. County: NM - Nemaha Basin: 2 - South Fork Big Nemaha River Stream: 2 - South Fork Big Nemaha River | | |
| Structures File No: | Aquifer Code: | Special Use Area: | |

| 14. Points of Diversion, Rates & Quantities | | | | | | | | | | Qty AF | | Rate gpm | | Storage Qty AF | | Storage Rate |
|---|--------------|-----------------|----------|-----------|------------|----------|------------|--------------------|------------|----------|-------------|----------|------|----------------|----------|--------------|
| PDIV | Qualifier | S | T | R | ID | 'N | 'W | Comment (AKA Line) | Auth | Add | Auth | Add | Auth | Add | Auth/Add | Overlaps |
| CHK | 80674 | SW SW SW | 1 | 1S | 12E | 3 | 226 | 5077 | 400 | 0 | 2500 | 0 | | | | * |
| | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |

15. Limitations **NEW** Type: **Combined Rate** Quantity: **AF** Rate: **2,500 gpm** combined with file no(s): **48,306**
NEW Type: Quantity: **655.05AF** Rate: **gpm** combined with file no(s): **48009 48306 49962 50680**

16. Metering Metering Required Anti-Reverse Required Seal Required Compliance Date: **12/31/2026**

| 17. Place of Use | | | | | | | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | Total | Owner(s) | Chg? | Overlaps |
|------------------|--------------|-----------|-----------|------------|----------|-------------|-----------|-------------|-------------|-----------|-------------|-------------|-------------|-------------|-----------|----|----------|----|-----|-----------|---------------|-----------|--------------------------|----------|------|----------|
| PUSE | S | T | R | ID | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | | | | | | |
| CHK | 62617 | 1 | 1S | 12E | 1 | | | | 6 | 36 | 38.5 | 8.5 | 33.5 | 22.5 | 32 | | | | | | 177.00 | 5a | <input type="checkbox"/> | + | | |
| CHK | 62618 | 2 | 1S | 12E | 1 | 21 | | 22 | | | | | | | | | 8 | | | 10 | 61.00 | 5a | <input type="checkbox"/> | + | | |
| CHK | 64358 | 12 | 1S | 12E | 1 | | | | 37 | 24 | 9.5 | 33 | | | | | | | | | 103.50 | 5a | <input type="checkbox"/> | + | | |
| CHK | 71164 | 7 | 1S | 13E | 1 | | | | 35.5 | 35 | 30 | 32.5 | 7.5 | | | | | | | | 140.50 | 5a | <input type="checkbox"/> | + | | |
| CHK | 71165 | 12 | 1S | 12E | 3 | 32.5 | 29 | 18.5 | 33.5 | | | | | | | | | | | | 113.5 | 5b | <input type="checkbox"/> | + | | |

| | |
|---|----------------------|
| 18. Point of Diversion and Place of Use Overlaps * 48306 + 48009, 48306, 49962, 50680 # ^ | ** ++ ## ^^ |
|---|----------------------|

MEMORANDUM TO FILE

Division of Water Resources, Water Appropriation Program

Date: December 4, 2024

From: Christa Anhold , Environmental Scientist

Re: New Application File No. 51,154 – Nemaha Valley LLC

Summary

Keith Grimm on behalf of Nemaha Valley LLC filed the above referenced application proposing to appropriate 400 AF of surface water at a diversion rate of 2,500 GPM from one (1) pumpsite in South Fork Nemaha River to irrigate 595.5-acres in Nemaha County. The application is signed stating the applicant has legal access to the point of diversion and places of use. The new application will overlap the point of diversion with WR File No. 48,306 and temporary permit 20239088 and the place of use with WR File Nos. 48009, 48306, 49962, 50680 and temporary permit 20239088. The limitations to the existing and new file are outlined below.

| File No. | Direct Use Quantity (AF) | Limitation | Additional Quantity (AF) |
|----------|--------------------------|--------------------------------|--------------------------|
| 48,009 | 165 | NONE | 165 |
| 48,306 | 200 | 363AF/yr com/w #48009 | 198 |
| 49,962 | 97 | NONE | 97 |
| 50,680 | 300 | 655.05AF/yr com/w Senior Files | 195.05 |
| 51,154 | 400 | 655.05AF/yr com/w Senior Files | 0 |

Reasonable Rate and Quantity

For Nemaha County the maximum reasonable quantity of water to irrigate the proposed 595.5 acres at 1.1 acre-foot per acre is equivalent to 655.05 AF. The senior files associated with the place of use already permit the total reasonable quantity, therefor this application will not provide additional water to the place of use it will act as an alternative source of water for the applicant to use. The application states the new application would have a rate and quantity limit when combined with 48,306. However, during the review process no need for a quantity limitation to WR File No. 48,009 was found. Therefor the overlapping new file for the pumpsite will not have a quantity limit and would allow the applicant to pump 600 AF from the pumpsite. There will be a rate limit of 2,500 GPM. The new application will be limited to 655.05 AF of water per year when combined with WR File Nos. 48,009, 48,306, 49,962 and 50,680.

Source of Supply and Safe Yield

This approval will be subject to specific conditions, which stipulate strict requirements for direct surface water diversion. These conditions include the stipulation that no diversion shall occur unless there is water available to satisfy all demands by senior water rights and permits, written permission from the Chief Engineer is required prior to diverting water, and streamflow cannot be stopped at the first riffle below the point of diversion while diversion is being taken place. The application complies with K.A.R. 5-3-15(c)(5) as the applicant has sufficient off-site storage that will provide adequate off-season water for irrigating the proposed 595.5 acres, therefor there is no need for direct diversion of water from July 1 through September 30.

Nearby Water Rights

From the proposed pumpsite the nearest upstream water right (File No. 48,037) is over 10 miles away, there are no downstream water rights. The applicant provided names and addresses of four (4) adjacent landowners one-half mile up and downstream of the proposed pumpsite. Nearby notifications were mailed on October 24, 2024. A phone call was received from one nearby on November 4, 2024, but no written comments have been received to date.

Recommendations

The application was sent for consideration to Nathan Westrup, Water Commissioner of the Topeka Field Office, and Shaun Johnson, Assistant Water Commission of the Topeka Field Office, on November 12, 2024, and recommended for approval in an email dated November 12, 2024.

The application complies with all regulations concerning reasonable quantity, safe yield, and minimum spacing requirements. 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.



Christa Anhold
Environmental Scientist
Manhattan Headquarters

From: Baum, Kristen [KDA]
Sent: Wed 12/4/2024 2:41 PM
To: Westrup, Nathan [KDA]; Anhold, Christa [KDA]
Cc: Johnson, Shaun [KDA]; Neuhauser, Kris [KDA]; Kopp, Kenneth [KDA]
Subject: RE: 51154 recommendation request

That sounds good to me, and they have the storage available.

Kristen Baum, Environmental Scientist
DWR – Water Appropriations

From: Westrup, Nathan [KDA] <Nathan.Westrup@ks.gov>
Sent: Wednesday, December 4, 2024 2:16 PM
To: Baum, Kristen [KDA] <Kristen.Baum@ks.gov>; Anhold, Christa [KDA] <Christa.Anhold@ks.gov>
Cc: Johnson, Shaun [KDA] <Shaun.Johnson@ks.gov>; Neuhauser, Kris [KDA] <Kris.Neuhauser@ks.gov>; Kopp, Kenneth [KDA] <Kenneth.Kopp@ks.gov>
Subject: RE: 51154 recommendation request

Well, it's interesting how things come to be. The SF Big Nemaha is a trib to the Big Nemaha, which is a trib to the Missouri. We could also say that the Marais des Cygnes is a trib to Osage River, which is a trib to the Missouri. I suppose someone, at some point, decided to draw the trib-to line within the state?

I think we need to continue to treat the SF Big Nemaha as subject to 5-3-15. There have been folks in this basin that were required to build off-stream storage for approval.

Agree?

Nathan Westrup, Water Commissioner

Topeka Field Office
Division of Water Resources
Kansas Department of Agriculture
Phone: 785-296-7064
Mobile: 785-230-2991
Nathan.Westrup@ks.gov

From: Baum, Kristen [KDA] <Kristen.Baum@ks.gov>
Sent: Wednesday, December 4, 2024 11:03 AM
To: Westrup, Nathan [KDA] <Nathan.Westrup@ks.gov>; Anhold, Christa [KDA] <Christa.Anhold@ks.gov>
Cc: Johnson, Shaun [KDA] <Shaun.Johnson@ks.gov>; Neuhauser, Kris [KDA] <Kris.Neuhauser@ks.gov>; Kopp, Kenneth [KDA] <Kenneth.Kopp@ks.gov>
Subject: RE: 51154 recommendation request

Nate,

We talked about this one today. I'm okay going either way with it. In order to be consistent with the other pumpsites, maybe we should require it on this one. That's in line with our discussions about using permissions more on tribs of the big 4.

Kristen Baum, Environmental Scientist
DWR – Water Appropriations

From: Westrup, Nathan [KDA] <Nathan.Westrup@ks.gov>
Sent: Monday, November 18, 2024 4:35 PM
To: Anhold, Christa [KDA] <Christa.Anhold@ks.gov>
Cc: Johnson, Shaun [KDA] <Shaun.Johnson@ks.gov>; Baum, Kristen [KDA] <Kristen.Baum@ks.gov>; Neuhauser, Kris [KDA] <Kris.Neuhauser@ks.gov>; Kopp, Kenneth [KDA] <Kenneth.Kopp@ks.gov>
Subject: RE: 51154 recommendation request

Hi Christa,

This is something maybe we should loop Kristen+ in for a little additional discussion. I'm assuming when you say "we", you are referring to Kristen/Ken/Kris?

I can see a case made for not being subject to 5-3-15. However, appropriations in the SF Big Nemaha have been treated as subject to 5-3-15, historically.

Kristen: I would like your thoughts. There are quite a few WR's being actively managed with permissions in the SF Big Nemaha (and it's tributaries) because they were treated as being subject to 5-3-15. Although, as we have discussed, I think tributaries of the big four should be considered for a permission condition like the one file on Clarks Creek. We could consider this to be a Missouri trib and still require permission to pump, but not fully subject to 5-3-15.

How is that for some confusing thoughts?

Nathan Westrup, Water Commissioner

Topeka Field Office

Division of Water Resources

Kansas Department of Agriculture

Phone: 785-296-7064

Mobile: 785-230-2991

Nathan.Westrup@ks.gov

From: Anhold, Christa [KDA] <Christa.Anhold@ks.gov>

Sent: Monday, November 18, 2024 12:02 PM

To: Westrup, Nathan [KDA] <Nathan.Westrup@ks.gov>

Cc: Johnson, Shaun [KDA] <Shaun.Johnson@ks.gov>

Subject: RE: 51154 recommendation request

Follow up. We don't think this application should be subject to permissions to pump under K.A.R. 5-3-15 since the SF Big Nemaha River is technically a tributary to the Missouri River. The overlapping senior file for PD does require permission to pump under K.A.R 5-3-15. We think the new app should be held to K.A.R 5-3-15(c)(1) through K.A.R. 5-3-15(c)(3) at a minimum. Depending on what you decide there are a couple different options.

If you decide the application is not subject to 5-3-15, we can remove permission to pump from the senior file (48,306). We could write it out when the senior file is perfect, or we could write a new findings and orders before perfection and remove permission to pump before perfection.

If you decide the application should be subject to 5-3-15, then we leave everything as is and write up the new application requiring stipulations under K.A.R. 5-3-15(c). I looked at direct diversion files in the SF Big Nemaha drainage basin, from the 3 (File Nos. 48307, 50510, 49152) that I found they all require permission to pump under K.A.R. 5-3-15.

We are going to defer to your decision. Let me know what you think.

Christa Anhold
(785)-370-1574

From: Westrup, Nathan [KDA] <Nathan.Westrup@ks.gov>

Sent: Tuesday, November 12, 2024 5:09 PM

To: Anhold, Christa [KDA] <Christa.Anhold@ks.gov>

Cc: Johnson, Shaun [KDA] <Shaun.Johnson@ks.gov>

Subject: RE: 51154 recommendation request

Hi Christa,

I agree, I can't find a reason to limit at the PD.

I have no objection to approval.

Thank you,

Nathan Westrup, Water Commissioner

Topeka Field Office

Division of Water Resources

Kansas Department of Agriculture

Phone: 785-296-7064

Mobile: 785-230-2991

Nathan.Westrup@ks.gov

From: Anhold, Christa [KDA] <Christa.Anhold@ks.gov>

Sent: Tuesday, November 12, 2024 11:05 AM

To: Westrup, Nathan [KDA] <Nathan.Westrup@ks.gov>

Cc: Johnson, Shaun [KDA] <Shaun.Johnson@ks.gov>

Subject: 51154 recommendation request

Good morning Nathan,

I have attached a draft memo for new application 51,154 for your review and recommendation. Nearby notifications were mailed on October 24, 2024, no written comments have been received to date.

The application will overlap 1 PD and 4 applications for PU. The new application requests a limitation of 400AF when combined with the PD. While reviewing the application and discussing with Ken and Kristen we couldn't find any reason to limit the new application to the PD. I wrote up the memo assuming no quantity limitation to the PD. What do you think of the PD limitation? Do we need it or not?

Christa Anhold

Environmental Scientist

Department of Water Resources

(785)-370-1574

Christa.anhold@ks.gov

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. 51,154** of the applicant

**NEMAHA VALLEY LLC
2961 L4 RD
BERN, KS 66408**

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 11, 2023**.
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 | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL |
|-----------------|------|------|------|------|------|------|------|------|------|------|------|-----|-----|-----|-----|------|-------|
| | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| 1 - 1S - 12E | | | | | 6.0 | 36.0 | 38.5 | 8.5 | 33.5 | 22.5 | 32.0 | | | | | | 177.0 |
| 2 - 1S - 12E | 21.0 | | | 22.0 | | | | | | | | | 8.0 | | | 10.0 | 61.0 |
| 12 - 1S - 12E | 32.5 | 29.0 | 18.5 | 33.5 | 37.0 | 24.0 | 9.5 | 33.0 | | | | | | | | | 217.0 |
| 7 - 1S - 13E | | | | | 35.5 | 35.0 | 30.0 | 32.5 | 7.5 | | | | | | | | 140.5 |

3. That the authorized source from which the appropriation shall be made is surface water from the South Fork Big Nemaha River, to be diverted at a pumpsite located in the Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW¼ SW¼ SW¼) of Section 1, more particularly described as being near a point 226 feet North and 5,077 feet West of the Southeast corner of said section, in Township 1 South, Range 12 East, Nemaha 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 **2,500 gallons per minute (5.57 c.f.s.)** and to a quantity not to exceed **400 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, 2026**, 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, 2030**, or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

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

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

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

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

11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

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

13. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

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

15. That the stream flow shall not be stopped at the first riffle below the point of diversion while diversion is taking place under the authority of this water right or permit.

16. That diversion of natural flows shall not take place unless there is water available to satisfy all demands by senior water rights and permits.

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 the rate of diversion approved under this permit is further limited to the rate which combined with Appropriation of Water, File No. 48,306, will be provided a maximum diversion rate not in excess of **2,500 gallons per minute (5.57 c.f.s.)** from the point of diversion authorized herein.

19. That the quantity of water approved under this permit is further limited to the quantity which combined with Appropriation of Water, File Nos. 48,009, 48,306, 49,962 and 50,680, will provide a total not to exceed **655.05 acre-feet** of water per calendar year for irrigation use on the place of use described herein.

20. That no water shall be diverted unless the written permission of the Chief Engineer, or authorized representative of the Chief Engineer, is obtained each time the applicant desires to divert water.

21. 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.

Ordered this 10 day of December, 2024, in Manhattan, Riley County, Kansas.

Lane P. Letourneau

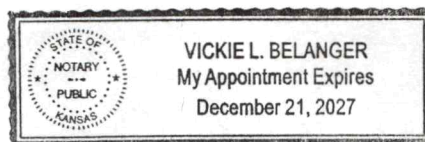
Lane P. Letourneau, P.G.
Water Appropriation Program Manager
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 10th day of December, 2024, by Lane P. Letourneau, P.G., Water Appropriation Program Manager, Division of Water Resources, Kansas Department of Agriculture.

Vickie L. Belanger

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

December 12, 2024

NEMAHA VALLEY LLC
2961 L4 RD
BERN KS 66408

RE: Appropriation of Water
File No. 51,154

Dear Sir or Madam:

Enclosed is a permit authorizing you to proceed with construction of the proposed diversion works and to appropriate water for beneficial use as set forth in the permit. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in this permit, with specific reference to Paragraph Nos. 18 and 19.

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.

Also included 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/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 Applications and Changes Supervisor
Division of Water Resources

KAB:kak:cla

Enclosure(s)

pc: Topeka Field Office
Leon Haverkamp Farms LLC

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 request an evidentiary hearing before the Chief Engineer or 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 Division, 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 review 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 12 day of December, 2024, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 51,154, dated December 10, 2024, was mailed postage prepaid, first class, US mail to the following:

Original to:

NEMAHA VALLEY LLC
2961 L4 RD
BERN KS 66408

With photocopies to:

LEON HAVERKAMP FARMS LLC
3073 L4 RD
BERN KS 66408

KDA-DWR Topeka Field Office



Division of Water Resources