

Submit To:  
CHIEF ENGINEER  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, KS 66502-5000  
<http://agriculture.ks.gov/dwr>

# APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

Water Resources  
Received

KS Dept Of Agriculture



State of Kansas

**STATUTORY FILING FEE MUST ACCOMPANY THIS APPLICATION**  
**Please refer to the Fee Schedule attached to this application form.**

File Number: **51382**

This item to be completed by the Division of Water Resources staff.

1. Name of Applicant: James Stockebrand  
Address: 1577 130th RD  
City: Yates Center State: KS Zip Code: 66783  
Phone: 785-826-5063 Email: craig@sandstonefarmsllc.com

**NEEDS STREAM NAME**

2. The source of water is:  surface water in unnamed tributary of Owl Creek (stream)  
 groundwater in Neosho River (drainage basin)

3. The maximum annual quantity of water desired is 280  acre-feet  gallons  
to be diverted at a maximum rate of ALL NAT FLOWS  gpm  c.f.s.  natural flows  natural evaporation  
 This project involves surface water storage and rediversion. The maximum annual quantity of water desired to be rediverted is 280  acre-feet  gallons, at a rate of 1000  gpm  c.f.s.

### Conversion Factors

1 acre-foot (AF) = 325,851 gallons  
1 million gallons (mg) = 3.07 acre-feet (AF)  
1 cubic foot per second (c.f.s.) = 448.8 gallons per minute (gpm)

**IMPORTANT:** Once your application has been assigned a priority date and file number, the requested maximum rate of diversion and maximum requested annual quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum annual quantity of water are appropriate and reasonable for your proposed project.

4. The water is intended to be appropriated for the following use(s):  
 Artificial Recharge\*  Irrigation\*  Recreational\*  Water Power\*  
 Industrial\*  Municipal\*  Stockwatering\*  Sediment Control  
 Domestic  Dewatering  Hydraulic Dredging  Fire Protection  
 Thermal Exchange  Contamination Remediation

**\*IMPORTANT:** You **must** submit a supplemental form providing information to substantiate your request for the quantity of water listed in Item No. 3 for the intended use(s) referenced above.

FOR OFFICE USE ONLY							
Code	RE2	FO	1	GMD	-	DUA	-
Fee \$	300	Use	IRR	Source	SW	County	WO
TR #	PY2412AC954	By	KJN	Date	12/31/24	Receipt Date	12/20/2024
				Check #			

File No. \_\_\_\_\_

5. The location(s) of the proposed diversion work(s) (well, pumpsite, etc.) are described below. Note that for the application to be accepted, the point of diversion location(s) **must** be described to at least a 10-acre tract, unless you specifically request a 60-day period of time in which to locate the site within a specifically described, minimal legal quarter section of land. You can specify a nickname for the point of diversion via the A.K.A. line to help you identify it.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (¼) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300-foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800gpm and which supply water to a common distribution system.

(A) One in the SW quarter of the SE quarter of the SW quarter of Section 32, more particularly described as being near a point 50 feet North and 3445 feet West of the Southeast corner of said section, in Township 24 South, Range 16 E W, Woodson County, KS. A.K.A: \_\_\_\_\_

(B) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ E W, \_\_\_\_\_ County, KS. A.K.A: \_\_\_\_\_

(C) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ E W, \_\_\_\_\_ County, KS. A.K.A: \_\_\_\_\_

(D) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ E W, \_\_\_\_\_ County, KS. A.K.A: \_\_\_\_\_

(E) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ E W, \_\_\_\_\_ County, KS. A.K.A: \_\_\_\_\_

12/20/2024

6. The proposed project for diversion of water will consist of 1 DAM (number of wells, pumps, dams, etc.) and was/will be completed on or by the following date: September 2024 (date each was or will be completed)

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7. The first actual application of water for the proposed beneficial use was or is estimated to be September 2024 (Date)

8. List any application, appropriation of water, water right, or vested right file number that covers the same point(s) of diversion or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

PU - ANOTHER APPLICATION WILL BE FILED ON A SEPERATE DRAW WITHIN THE SAME RIVER BASIN

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?  
 Yes  No If **yes**, a check valve shall be required. All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

10. If you are planning to impound water, please contact DWR prior to submitting this application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you made an application for a permit for construction of this dam and reservoir with DWR?  Yes  No

If yes, write the Water Structures permit number here: \_\_\_\_\_

11. Furnish a detailed topographic or aerial map that depicts the following information:

The application **must** be supplemented by a topographic map, aerial photograph or a detailed plat showing the information described in A-D below.

(A) The center of the section, the section lines or the section corners, and labels showing the appropriate section, township and range numbers, as well as a north arrow and scale,

(B) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) described in Item No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section,

(C) The location of the proposed place of use identified by crosshatching,

(D) **For Groundwater Use**, the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells and indicate for each well its type of use and the name and mailing address of the property owner or owners, (If there are no wells within 1/2 mile, please indicate that on the map.)

**For Surface Water Use**, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines, and

(E) The locations of proposed or existing dams, dikes, reservoirs, canals, pipelines, power houses, and any other structures for the purpose of storing, conveying, or using water.

12. For groundwater use, furnish copies of the driller's logs for all test holes or completed wells. Please ensure that the driller's logs provide depth to the static water level. If driller's logs cannot be obtained for an existing well, provide the following information:

Well location as shown in Item No. 5	(A)	(B)	(C)	(D)	(E)
Date drilled	_____	_____	_____	_____	_____
Total depth of well	_____	_____	_____	_____	_____
Depth to static water level	_____	_____	_____	_____	_____

13. The owner(s) of the point of diversion, if other than the applicant is:

APPLICANT

\_\_\_\_\_  
(name, address, and phone)

\_\_\_\_\_  
(name, address, and phone)

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14. The owner(s) of the property where the water is used, if other than the applicant, is:

SSF Holdings LLC

\_\_\_\_\_  
(name, address, and phone)

\_\_\_\_\_  
(name, address, and phone)

15. The relationship of the applicant to the proposed place where the water will be used is that of:

Owner     Agent     Tenant     Other: \_\_\_\_\_

16. A water use correspondent (WUC) must be designated. The WUC will be mailed the annual water use report, which must be filed with the Division by March 1 of each year. Failure to timely file an accurate water use report will subject the owner(s) to a civil fine of up to \$1,000 and potential suspension of the water appropriation or right. By signing this application, I verify that the owner(s) of the water right or permit have confirmed that the following person or agent should be designated as the WUC:

APPLICANT

\_\_\_\_\_  
(name, address, and phone)

17. I understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. This could affect the economics of my decision to appropriate water. Situations where this might occur may include times when minimum desirable streamflow (MDS) requirements are not met, when Assurance District or Water Marketing releases are made from storage in federal reservoirs, when a Water Reservation Right upstream of a federal reservoir is administered, or when water rights administration becomes necessary to prevent impairment.

I declare, under penalty of perjury, that I have legal access to or control of, the point(s) of diversion described in this application from the landowner or the landowner's authorized representative.

By signing below, I verify that the information set forth above is true to the best of my knowledge, I agree with all statements made above, and that this application is submitted in good faith.

Signed by:  
  
88C190A50E87479  
(Applicant Signature)

7/31/2024

\_\_\_\_\_  
(Date)

Craig Stockebrand

\_\_\_\_\_  
(Applicant Name – please print)

Memeber

\_\_\_\_\_  
(Applicant Title, if applicable – please print)

Assisted by Darcy Nightingale MWI LLC 3/28/24  
\_\_\_\_\_  
(office/title) Date: \_\_\_\_\_

**FEE SCHEDULE**

*Make checks payable to the Kansas Department of Agriculture.*

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic, waterpower, dewatering, or sediment control use, shall be (see No. 2 below if requesting storage):

Million Gallons (mg)	Acre-Feet (AF)	Fee
≤ 32.585	≤ 100	\$200.00
32.586 - 104.272	100.1 – 320.0	\$300.00
> 104.272	> 320	\$300.00 plus \$20 for each additional 100AF (32.586mg) or any part thereof

2. The fee for an application in which **storage** of water is requested, except for domestic use, shall be:

Million Gallons (mg)	Acre-Feet (AF)	Fee
≤ 81.462	≤ 249.9	\$200.00
≥ 81.463	≥ 250	\$200.00 plus \$20 for each additional 100AF (32.586mg) or any part thereof

**Note:** If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. The fee for an application for **waterpower** or **dewatering** use shall be \$100.00 plus \$200.00 for each 44,880 gallons per minute (100 c.f.s.), or part thereof, of the diversion rate requested.

**IMPORTANT NOTICE**

If this application is approved, the applicant shall notify the Chief Engineer when the diversion works (well, pump, reservoir, pit, etc.) has/have been completed via the *Notice of Completion of Diversion Works* form (DWR 1-203.11) and along with the statutorily required field inspection fee of:

- \$200.00 for sediment control use or groundwater pits for industrial use, or
- \$400.00 for all other uses made of water

Failure to complete the diversion works by the deadline specified in the *Approval of Application and Permit to Proceed* (or any subsequent extension of time of said deadline) and/or failure to submit the proper notice and field inspection fee will result in the dismissal of the appropriation and forfeiture of any priority associated with it.

**For assistance with this application, please contact the Division of Water Resources (DWR).**

**Manhattan HQ**

1320 Research Park Dr.  
Manhattan, KS 66502  
785-564-6638

**Topeka Field Office**

1131 SW Winding Rd, Ste 400  
Topeka, KS 66615  
785-296-5733

**Stafford Field Office**

300 S. Main St  
Stafford, KS 67578  
620-234-5311

**Stockton Field Office**

820 S. Walnut  
Stockton, KS 67669  
785-425-6787

**Garden City Field Office**

4532 W. Jones Ave, Ste B  
Garden City, KS 67846  
620-276-2901

**Helpful Sources of Information**

DWR Water Appropriation Program  
DWR Water Appropriation Forms  
KGS Water Well Completion Records  
DWR Structures Program

<https://agriculture.ks.gov/divisions-programs/dwr/water-appropriation>  
<https://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-appropriation-forms>  
<https://www.kgs.ku.edu/Magellan/WaterWell/index.html>  
<https://agriculture.ks.gov/divisions-programs/dwr/dam-safety/permit-requirements>

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**IRRIGATION USE  
SUPPLEMENTAL SHEET**

KS Dept Of Agriculture

File No. \_\_\_\_\_

Name of Applicant (Please Print): James Stockebrand

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

**Landowner of Record** NAME: James Stockebrand

ADDRESS: 1577 130<sup>th</sup> RD Yates Center, KS 66783

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
32	24S	16E											34	24	23	19			36	24	160
5	24S	16E	40	40	40	40											40	40	40	40	320
6	24S	16E	36	16																	52
																					Total 532

**Landowner of Record** NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			

**Landowner of Record** NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			



1:18,000

# Application Map

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# 24 South

## 31

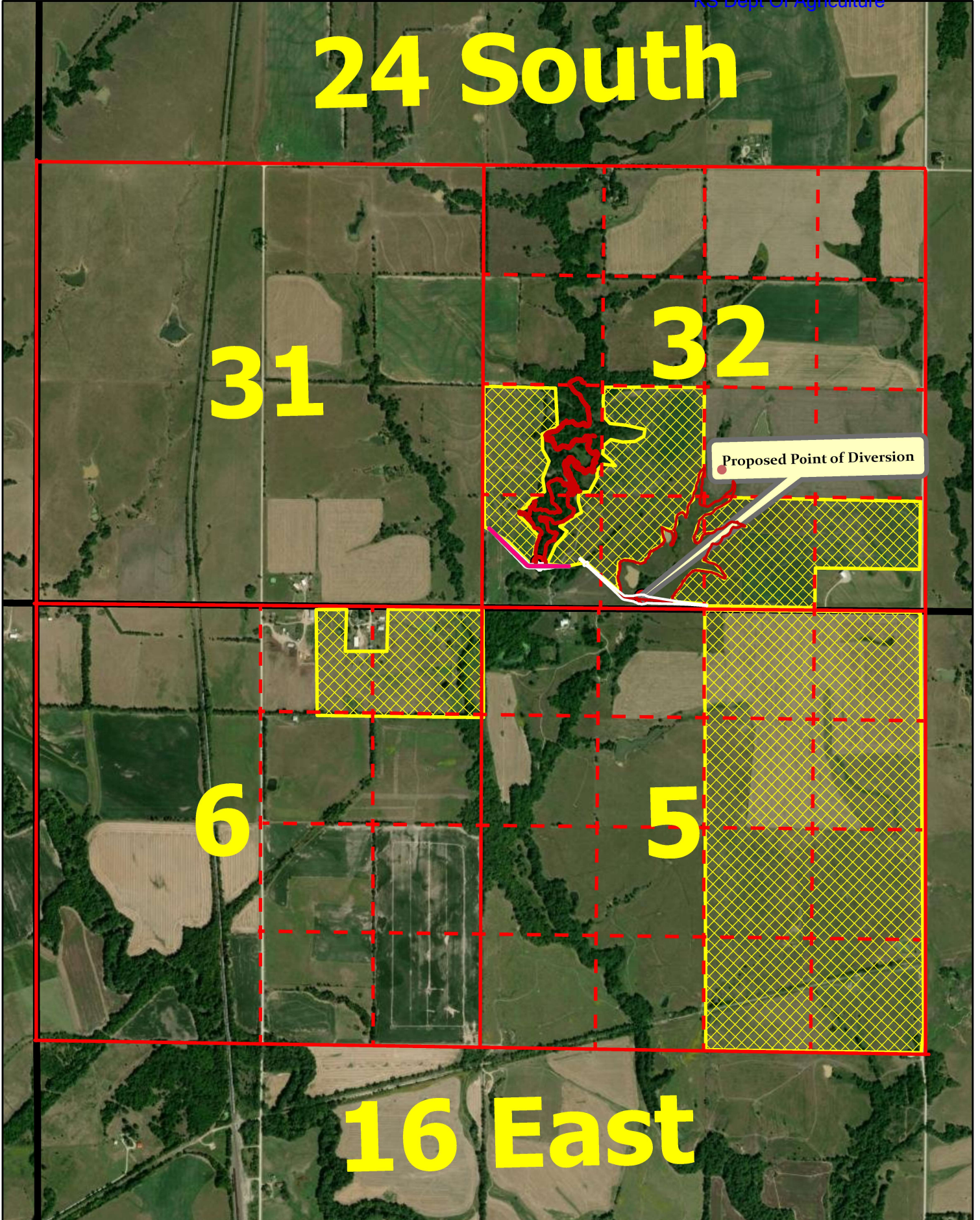
## 32

Proposed Point of Diversion

## 6

## 5

# 16 East





1:18,000

# Drainage Map

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# 24 South

# 31

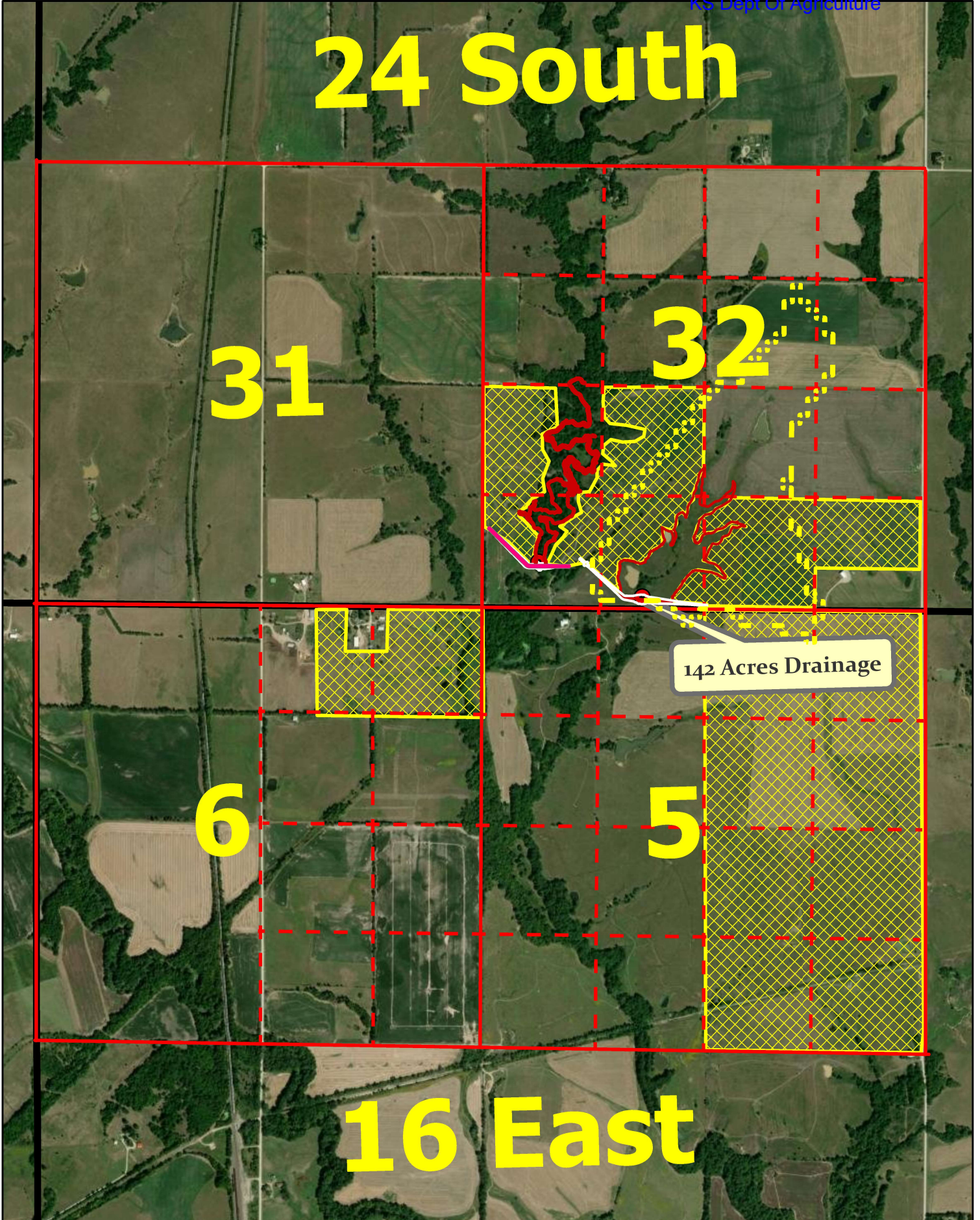
# 32

# 6

# 5

142 Acres Drainage

# 16 East

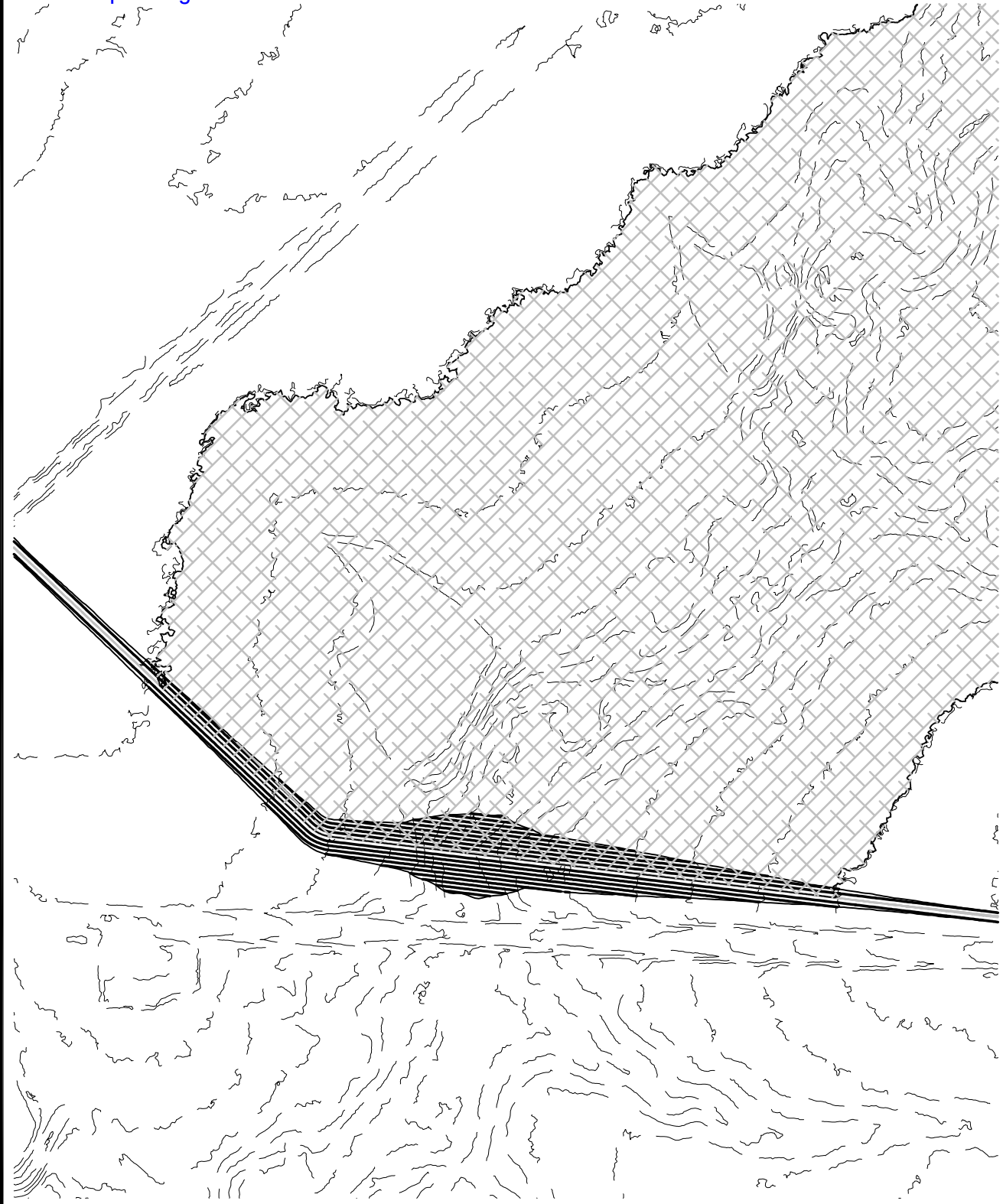




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# TOPOGRAPHIC SURVEY

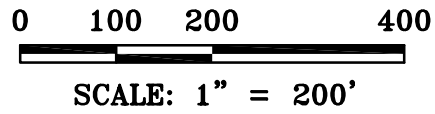
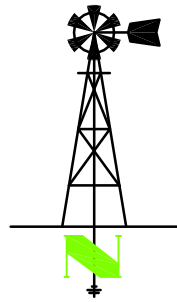
Compute Proposed Stream Obstruction Volume in the South One-Half of  
Section 32, Township 24 South, Range 16 East of the  
Sixth Principal Meridian, Woodson County, Kansas

Contour	Area	Inc Volume	Total Volume	Ac. Ft.	Embankment	Height
1002	-					
1003	564.88	282.44	282.440	0.0065		0.75
1004	8,794.67	4,679.78	4,962.215	0.1139		1.75
1005	26,405.48	17,600.08	22,562.290	0.5180		2.75
1006	43,308.61	34,857.05	57,419.335	1.3182		3.75
1007	66,957.77	55,133.19	112,552.525	2.5839		4.75
1008	99,023.18	82,990.48	195,543.000	4.4890		5.75
1009	139,431.16	119,227.17	314,770.170	7.2261		6.75
1010	181,687.17	160,559.17	475,329.335	10.9121		7.75
1011	236,904.21	209,295.69	684,625.025	15.7168		8.75
1012	309,133.46	273,018.84	957,643.860	21.9845		9.75
1013	436,676.71	372,905.09	1,330,548.945	30.5452		10.75
1014	548,933.22	492,804.97	1,823,353.910	41.8584		11.75
1015	715,100.15	632,016.69	2,455,370.595	56.3676		12.75
1015.5	798,201.52	378,325.42	2,833,696.013	65.0527		13.25
1016	892,438.16	422,659.92	3,256,355.933	74.7556		13.75
1017	1,098,433.47	995,435.82	4,251,791.748	97.6077	5,516	14.75
1017.50	1,217,833.55	579,066.76	4,830,858.503	110.9013		15.25
1017.60	1,244,121.43	123,097.75	4,953,956.252	113.7272		15.35
1017.70	1,269,943.06	125,703.22	5,079,659.476	116.6129		15.45
1017.80	1,296,214.79	128,307.89	5,207,967.368	119.5585		15.55
1017.90	1,322,736.82	130,947.58	5,338,914.949	122.5646		15.65
1018	1,350,876.69	133,680.68	5,472,595.625	125.6335	6,980	15.75
1019	1,698,706.18	1,524,791.44	6,997,387.060	160.6379	8,806	16.75
1020					11,102	17.75

ES and Primary Spillway

Top of structure

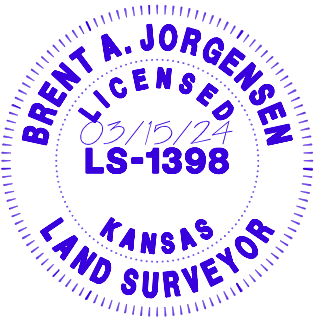
ES and Primary Spillway 1017.9  
Top of structure 1020



General Notes for Site:  
No Field verification of LIDAR elevations performed.  
Front toe of stream obstruction elevation: 1003.09'  
Rear toe of stream obstruction elevation: 1002.25'  
Assumed top of structure width: 12  
Assumed front and back slope: 3:1

LAND SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THIS SURVEY  
WAS DONE BY THE UNDERSIGNED, AND  
THAT THE SURVEY WAS DONE ON THE  
GROUND ON \_\_\_\_\_.



THIS DRAWING ORIGINALLY CREATED AT  
SPECIFIED SCALE. IF LINE BELOW DOES NOT  
MEASURE 1 INCH, DRAWING HAS BEEN  
REDUCED. ORIGINAL DRAWING  
SIZE: 1 INCH

**JORGENSEN SURVEYING**  
73051 617 Ave  
Tecumseh, NE 68450  
(402) 335-2033  
jorgensensurveying@gmail.com

Stream Obstruction  
Sec 32, T24S, R16E  
Woodson County, Kansas  
PREPARED FOR  
MWI - James Stockebrand

SCALE	1"=200'
FIELD ON:	-
CHK. BY	MARCY
DWN. BY	BRENT
DATE:	03/15/24
SHEET	1 OF 2
JOB NO.	5262.188



12/20/2024

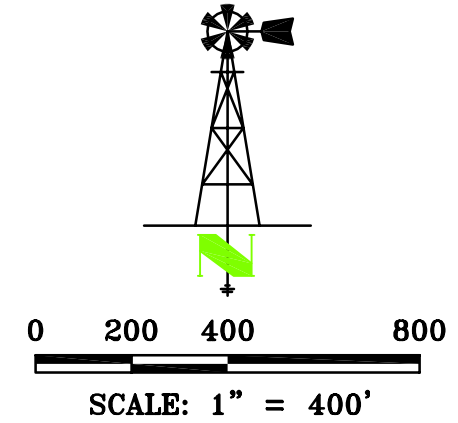
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# TOPOGRAPHIC SURVEY

Compute Proposed Stream Obstruction Volume in  
Section 7, Township 31 South, Range 17 East of the  
Sixth Principal Meridian, Montgomery County, Kansas

Water Level at  
Elev: 1017.90'



THIS DRAWING ORIGINALLY CREATED AT  
SPECIFIED SCALE. IF LINE BELOW DOES NOT  
MEASURE 1 INCH, DRAWING HAS BEEN  
REDUCED.

ORIGINAL DRAWING  
SIZE: 1 INCH

**JORGENSEN**  
**SURVEYING**  
73051 617 Ave  
Tecumseh, NE 68450  
(402) 335-2033  
jorgensensurveying@gmail.com

Stream Obstruction  
Sec 7, T31S, R17E  
Montgomery County, Kansas  
PREPARED FOR  
MWI - Friess Farms

SCALE	1"=400'
FIELD ON:	-
CHK. BY	MARCY
DWN. BY	BRENT
DATE:	03/15/24
SHEET 2 OF 2	
JOB NO. 5262.184	

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The yield of the drainage area is the limiting factor so the storage quantity and the direct use quantity will be the calculated ruoff (280 AF) for the 142 acre drainage area

**UPSTREAM AND DOWNSTREAM LANDOWNERS**

Upstream -

#1) Laymon Oil LLC  
1998 Squirrel RD  
Neosho Falls, KS 66758

C D Inc  
C/O Lynn Pederson  
344 SE 40th Ave  
Great Bend, KS 67530

Downstream -

#1) Janice McCullough  
204 E Rutledge  
Yates Center, KS 66783

Kelley Grisier  
702 S Grove ST  
Yates Center, KS 66783



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<b>PDFs</b>
<a href="#">Mean Annual Precipitation</a>
<a href="#">Soil Cover Complex</a>

Mean Annual Precip, in	<b>42</b>
Soil Cover Complex No.	<b>79</b>
Drainage Area, acres	<b>142</b>
<b>Runoff at 20% Chance, AF</b>	<b>280.41</b>

**DO NOT EDIT BELOW THIS LINE**

% Chance Firm Coefficients			
	50%	80%	90%
a	0.5317	0.1216	0.0527
b	1.0815	1.2538	1.3547

Std. Dev. 90%	1.26
Std. Dev. 80%	1.23
Avg	1.25

%Chance Firm	Runoff, in	Comp. Runoff, in
50%	8.29	<b>8.29</b>
80%	2.94	<b>2.90</b>
90%	1.65	<b>1.68</b>
20%		<b>23.70</b>

Mean annual runoff for CN = 75, inches	11.40
Mean annual runoff for CN = 80, inches	13.00
Interp. Mean annual runoff for CN = 79, inches	12.68

12/20/2024

**From:** "Johnson, Shaun [KDA]"  
**Sent:** Fri 12/20/2024 8:54 AM  
**To:** "KDA Water Rights" <KDA.WaterRights@ks.gov>  
**Subject:** FW: new apps for Stockbrand  
**Attachments:** STOCKEBRAND\_EAST\_POND\_APP (1).pdf, STOCKEBRAND\_WEST\_POND.pdf, STOCKEBRAND\_WEST\_STORAGE\_CALC.pdf

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Here are some applications that somehow must have slipped through the cracks. Please see contact info below for application fees.

---

**From:** Darcy Nightingale <darcy@mwivalley.com>  
**Sent:** Friday, December 20, 2024 7:09 AM  
**To:** Johnson, Shaun [KDA] <Shaun.Johnson@ks.gov>  
**Subject:** Fw: new apps for Stockbrand

**EXTERNAL:** This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Shaun

Good morning, could you please send me the file numbers for these applications?

Thank ykh, Darcy

Get [Outlook for iOS](#)

---

**From:** Darcy Nightingale  
**Sent:** Wednesday, July 31, 2024 5:47:30 PM  
**To:** Johnson, Shaun [KDA] <[Shaun.Johnson@ks.gov](mailto:Shaun.Johnson@ks.gov)>  
**Subject:** new apps for Stockbrand

Shaun,

Please call the office at 785-740-1694 for payment and speak with Lana or Kaylene.

Thank you,

Darcy Nightingale  
Irrigation Sales  
[Darcy@mwivalley.com](mailto:Darcy@mwivalley.com)  
Service: 785-740-1694  
Cell: 785-285-8065



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

January 14, 2025

JAMES STOCKEBRAND  
1577 130TH RD  
YATES CENTER KS 66783

RE: Application, File No(s). **51382**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) for a permit to appropriate water for beneficial use. Your application(s) has been assigned the file number(s) referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application(s) and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation Act, the use of water as proposed prior to approval of the application(s) is unlawful.

Additional information about the process may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any other questions, 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,

Kris Neuhauser  
New Applications Lead  
Water Appropriation Program