

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

1. File Number: <p style="text-align: center; font-size: 1.2em;"><b>50,145</b></p>	2. Status Change Date: <p style="text-align: center; color: purple; font-size: 1.2em;"><b>7/22/2020</b></p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;"><b>02</b></p>	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)                      Person ID **65911**  
New to system                       Add Seq# \_\_\_\_\_

**CHRIS BOYD**  
**12001 NW SPRING CREEK RD**  
**MEDICINE LODGE, KS 67104**

7b. Landowner(s)                      Person ID **65912**  
New to system                       Add Seq# \_\_\_\_\_

**CALVIN E & CARLA J BOYD REV TRUST**  
**3501 NW PARK**  
**MEDICINE LODGE, KS 67104**

7c. Landowner(s)                      Person ID \_\_\_\_\_  
New to system                       Add Seq# \_\_\_\_\_

7d. Landowner                      Person ID \_\_\_\_\_  
New to system                       Add Seq# \_\_\_\_\_

8. WUR Correspondent                      Person ID **38938**  
New to system                       Add Seq# \_\_\_\_\_  
Overlap File (s) WUC                      Notarized WUC Form   
Agree  Yes  No

~~7a~~    **CALVIN & CARLA BOYD**  
**12001 NW SPRING CREEK RD**  
**MEDICINE LODGE, KS 67104**

9. Use of Water:    Changing?     Yes     No

Groundwater                       Surface Water

IRR                       REC                       DEW                       MUN

STK                       SED                       DOM                       CON

HYD DRG                       WTR PWR                       ART RECHRG

IND    SIC: \_\_\_\_\_                       OTHER: \_\_\_\_\_

10. Completion Date: 12/31/2021                      11. Perfection Date: 12/31/2025                      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: 12/31/2021                      Date WLMD Installed: \_\_\_\_\_

7/21/2020  
KAB                      Date Prepared: **1/29/20**                      By: **MJM**  
7/27/2020  
LMoody                      Date Entered: 7/27/2020                      By:

File No. **50145**      15. Formation Code: **100**      Drainage Basin: **Medicine Lodge**      County: **BA**      Special Use:      Stream:

16. Points of Diversion

MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
<b>MOD</b>	<b>87108</b>	<b>SWSWNW</b>	<b>12</b>	<b>30S</b>	<b>12W</b>	<b>1</b>	<b>2980</b>	<b>4682</b>		

17. Rate and Quantity

Authorized		Additional		Overlap PD Files
Rate gpm	Quantity af	Rate gpm	Quantity af	
<b>1000</b>	<b>170.8</b>	<b>1000</b>	<b>170.8</b>	<b>none</b>

18. Storage: Rate \_\_\_\_\_ NF      Quantity \_\_\_\_\_ ac/ft      Additional Rate \_\_\_\_\_ NF      Additional Quantity \_\_\_\_\_ ac/ft

19. Limitation: \_\_\_\_\_ - af/yr at \_\_\_\_\_ - \_\_\_\_\_ gpm (\_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_  
 Limitation: \_\_\_\_\_ - \_\_\_\_\_ af/yr at \_\_\_\_\_ - \_\_\_\_\_ gpm (\_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_

20. Meter Required?  Yes  No      To be installed by **12/31/2021**      Date Acceptable Meter Installed \_\_\_\_\_

21. Place of Use

MOD	DEL	ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
								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				
<b>MOD</b>	<b>69147</b>	<b>12</b>	<b>30S</b>	<b>12W</b>	<b>1</b>					<b>33</b>	<b>26</b>	<b>28.5</b>	<b>34.5</b>										<b>122</b>	<b>7b.</b>	<b>None</b>		

Comments: **PU and AF were reduced during processing at applicants request**

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

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

**TO:** Files

**DATE:** January 29, 2020

**FROM:** Matt Meier

**RE:** Application, File No. 50,145

Chris Boyd has filed the referenced application to appropriate groundwater for irrigation use, requesting one (1) well, a quantity of 170.8 acre-feet, and a diversion rate of 1000 gallons per minute. The proposed well is to be located in the Southwest Quarter of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section 12, more particularly described as being near a point 2,980 feet North and 4,682 feet West of the Southeast corner of said section, Township 30 South, Range 12 West, Barber County, in the Medicine Lodge drainage basin within the boundaries of South-Central Kansas Designated Unit Area- MED 21. The proposed place of use is owned by Calvin & Carla Boyd Revocable Trust. The applicant has signed the application form stating that he has legal access to the point of diversion. The place of use and requested quantity was reduced at the applicant's request.

The applicant identified three domestic wells within one-half mile of the proposed well and no non-domestic wells, which Wris confirmed. Nearby well notification letters were sent out on August 20, 2019. No contact of any kind was received. The nearest non-domestic point of diversion (File #26271) is located 3,670 feet away. Based off the map submitted with the application, the nearest domestic well appears to be approximately 2,000 feet away. The proposed point of diversion meets minimum well spacing to all existing wells. Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be one-quarter mile to all other non-domestic wells and 660 feet to domestic wells.

A test hole log was submitted with the application which shows topsoil from 0 to 3 feet, fine to medium to course sand and gravel layers with clay layers mixed in (see included log for full break down) from 3 to 171 feet, and red shale 171 to 175 feet below ground. The static water level was not listed on the test hole log.

The point of diversion is located within South Central Kansas Designated Unit Area Med 21 which is currently open to new appropriations. 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 circle 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 1.8 inches, and 50% of recharge available for appropriation, safe yield was determined to be 603.19 acre-feet. Existing water rights have appropriated 377 acre-feet, providing a difference of 226.19 acre-feet available for appropriation, and the application requesting 170.8 acre-feet complies with safe yield.

The requested quantity of water, 170.8 acre-feet, is reasonable to irrigate the proposed 122 acres identified in the application. This is the maximum reasonable quantity allowable of 1.4 acre-feet per acre for Barber County, Kansas. There are multiple pending applications in this general area of the state, and they are being worked in priority order to ensure that senior applications are provided the available water.

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. A water level measurement tube is required because this is a proposed new well exceeding 100 gpm.

The proposed application is subject to minimum desirable streamflow requirements. The applicant signed, notarized, and returned the required form to our office on September 13, 2019.

Chris Boyd  
Application, File No. 50,145  
Page 2

Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of the referenced application on January 23, 2020. Based on the above discussion, well spacing and safe yield criteria are met, 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.





Matt Meier  
Environmental Scientist  
Permits Unit

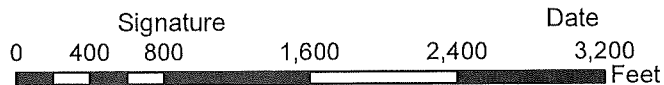
File No.

50145



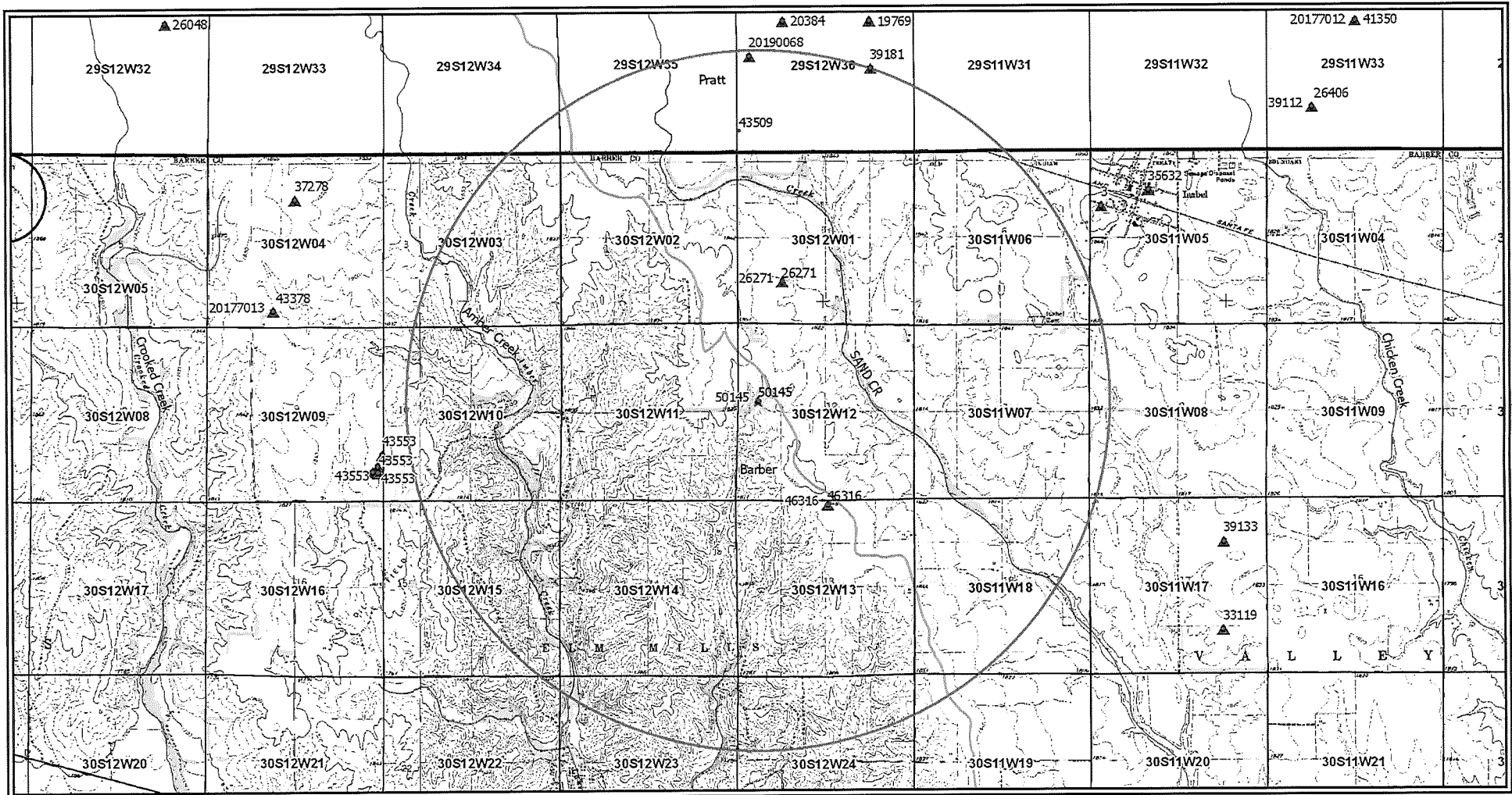
I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

-  ProposedPD
-  ProposedPlaceOfUse
-  Water Rights
-  SFFOsec\_corners



Created By: Matt Meier  
F.O. 2  
Date: 1/21/2020

**Safe Yield Report Sheet**  
**Water Right- A5014500**  
**Point of Diversion in 12-30S-12W**  
**Footages from SE corner- 2,980 feet North 4,682 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 603.19 AF. *-377 = 226.19 AF available*

Total prior appropriations in the circle is 561.80 AF.

Total quantity of water available for appropriation is 41.39 AF.

*# 50145  
meets SY.*

## Safe Yield Variables

The area used for the analysis is set at 8,042 acres.

The potential annual recharge at the circle center is estimated to be 1.8 inches.

The percent of recharge available for appropriation is 50%.

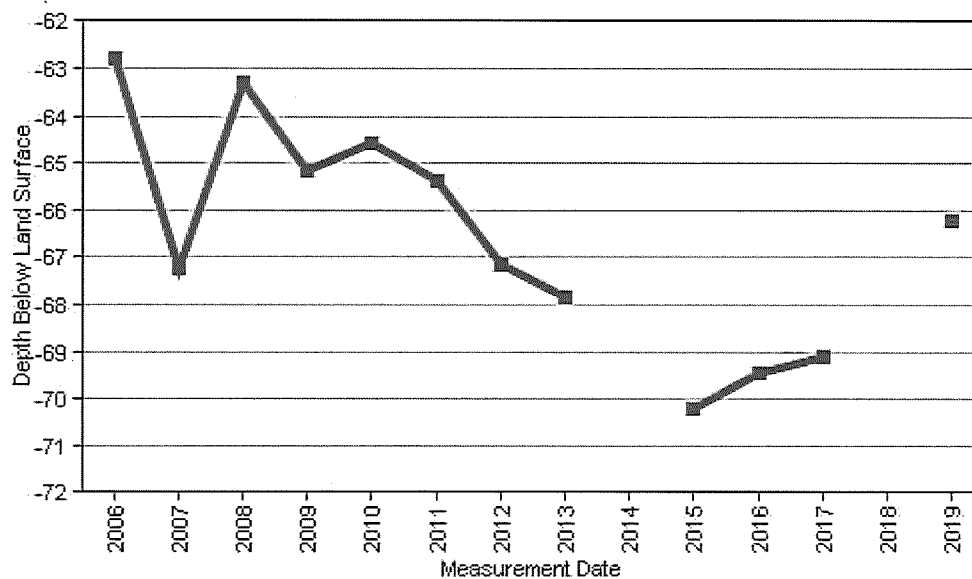
Authorized Quantity values are as of 20-AUG-2019 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 3 water rights and 3 points of diversion within the circle.

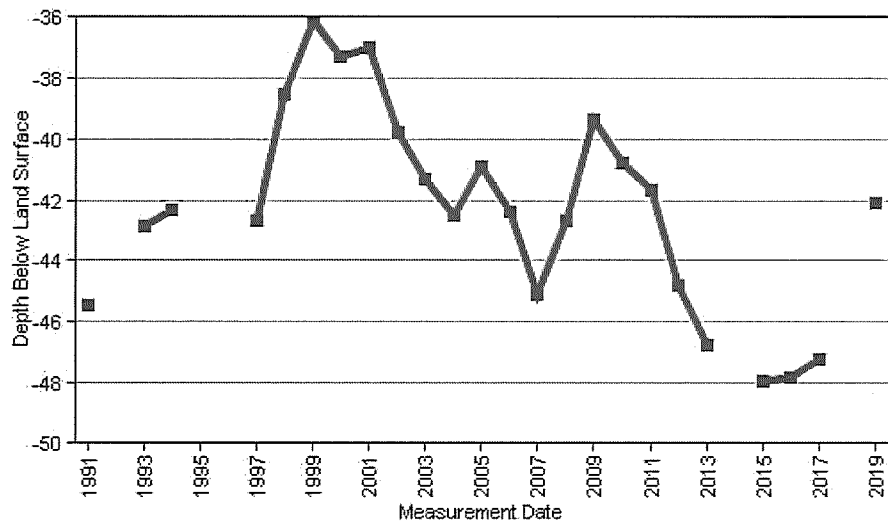
File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth Quant	Add Quant	Tot Acres	Net Acres
A 26271 00	IRR	NK	G			NC	SW	1330	3960	01	30	12W	1	WR	195.00	195.00	130.00	130.00
A 46316 00	IRR	LR	G		NW	NW	NE	5200	2600	13	30	12W	2	WR	182.00	182.00	130.00	130.00
A 50145 00	IRR	AY	G		SW	SW	NW	2980	4682	12	30	12W	1	WR	184.80	184.80	132.00	132.00



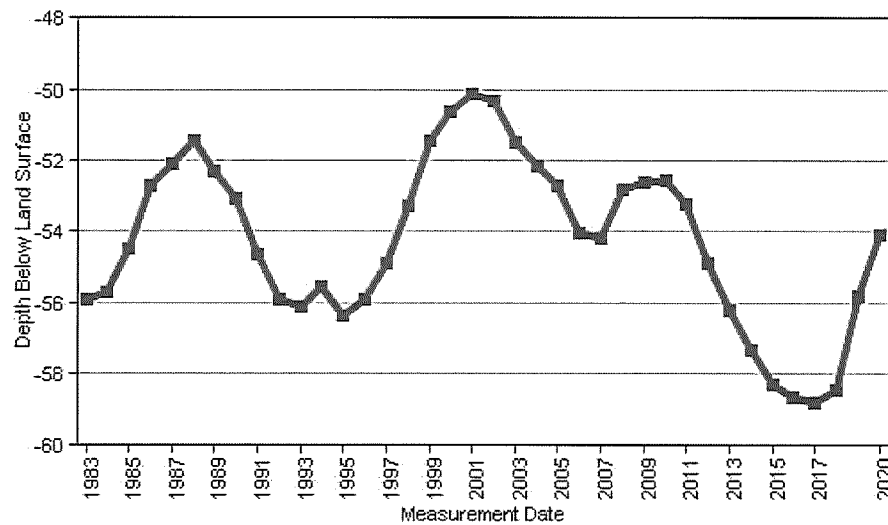
Sec 4 T30S R12W (Roughly 2.5 Miles Northwest of PD)



Sec 11 T30S R 11W (Roughly 5 Miles East of PD)



Sec 36 T29S R 12W (Roughly 1.5 Miles North of PD)





## Meier, Matt [KDA]

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**From:** Chris Boyd <chris@cboydfarms.com>  
**Sent:** Friday, January 10, 2020 11:46 AM  
**To:** Meier, Matt [KDA]  
**Subject:** Re: New Map

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

*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.

Thank you Matt, that map will be fine and should give a pretty decent depiction of where the heart of irrigation will be located.

Chris Boyd  
620.243.2584  
[chris@cboydfarms.com](mailto:chris@cboydfarms.com)

On Fri, Jan 10, 2020, 11:38 AM Meier, Matt [KDA] <[Matt.Meier@ks.gov](mailto:Matt.Meier@ks.gov)> wrote:

Hello Chris,

I put together a possible map for you. It is 122 acres in size. I can make it smaller, move it around, etc so let me know if you want any modifications or if it works for you. If you want to go with it as is we will need to reduce the requested quantity down to 170.8 AF (122 acres x 1.4 (Maximum reasonable AF/acre for Barber county = 170.8 AF).

Let me know if you have any questions via email or phone,

Matt Meier

Environmental Scientist

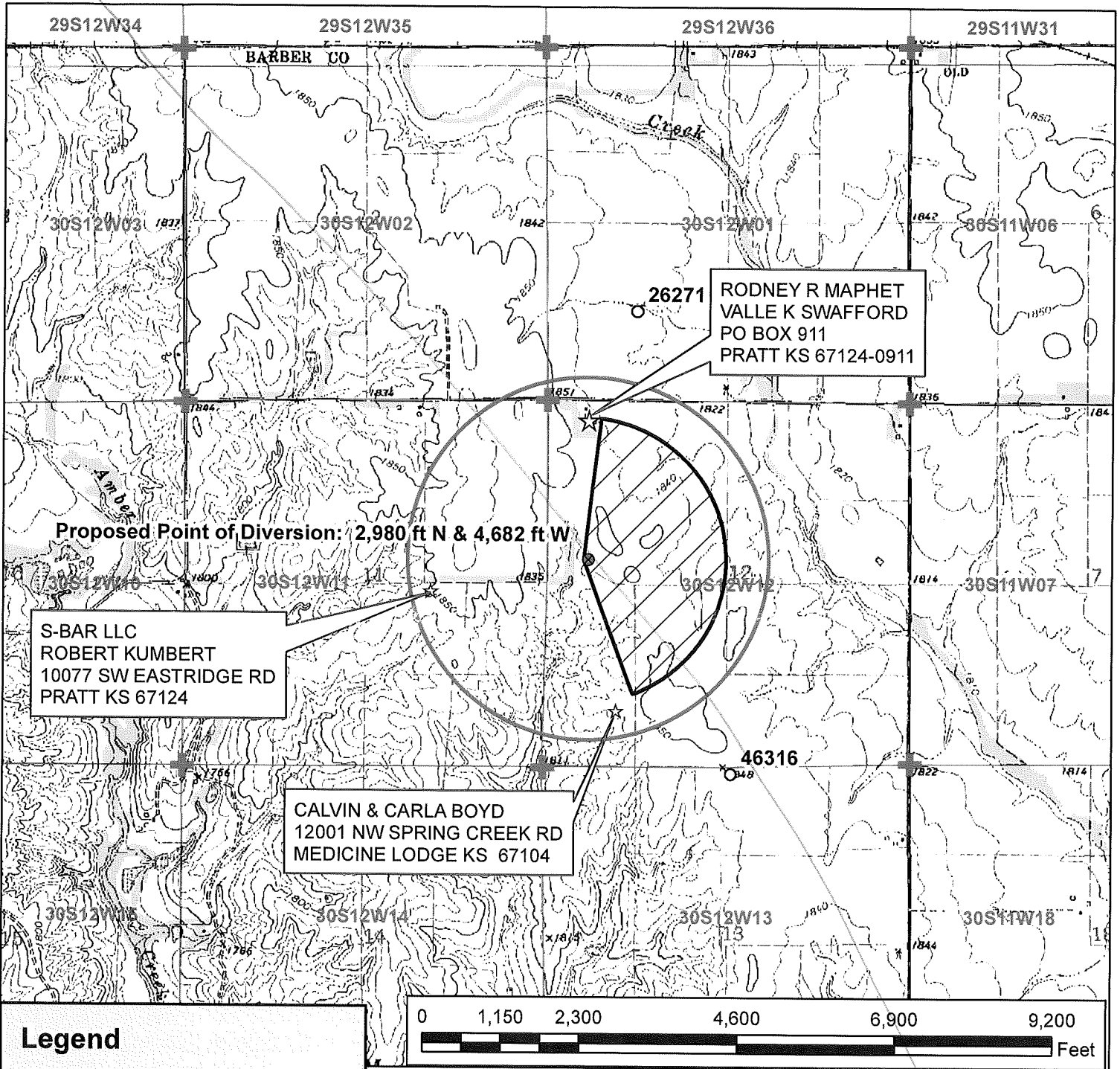
Stafford Field Office

[Matt.meier@ks.gov](mailto:Matt.meier@ks.gov)

620-234-5311

50145

see updated maps



**Legend**

- Water Appropriations
- Proposed Point of Diversion
- ☆ Domestic Well
- ⊕ Section Corner
- Half Mile Circle
- ▭ Section Line
- ▨ Proposed Place of Use

**Water Appropriation, File No. \_\_\_\_\_**

New Application Map  
12-30S-12W // Barber County

To the best of my knowledge, all of the wells within Water Resources  
1/2 mile of the proposed point of diversion have been shown

RECEIVED  
SEP 13 2019

Signature

SCANNED

OCT 15 2018



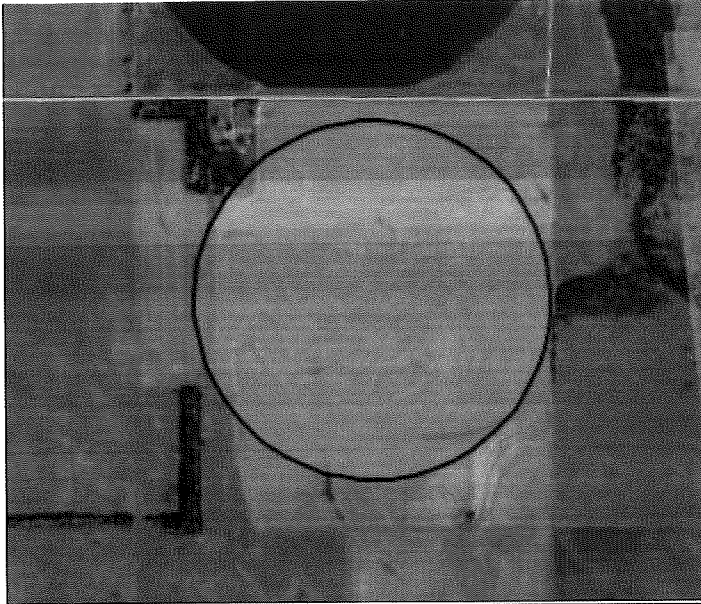
Matt, here is where I have  
thought of a different way  
to irrigate depending on size  
of well and economics of  
a longer windshield wiper  
pivot versus a full circle.

Please call or email  
if you have any questions.

Thanks, Chris

620 2432584

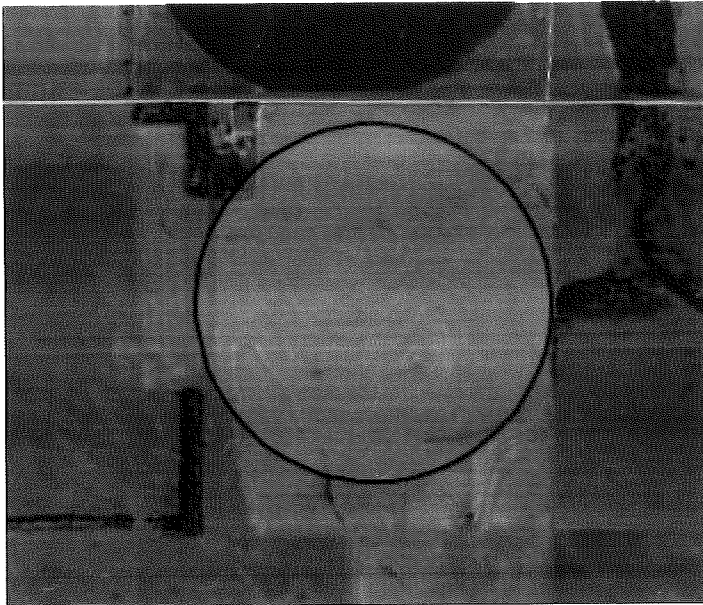
[chris@cboyardfarms.com](mailto:chris@cboyardfarms.com)



RECEIVED

SEP 13 2019

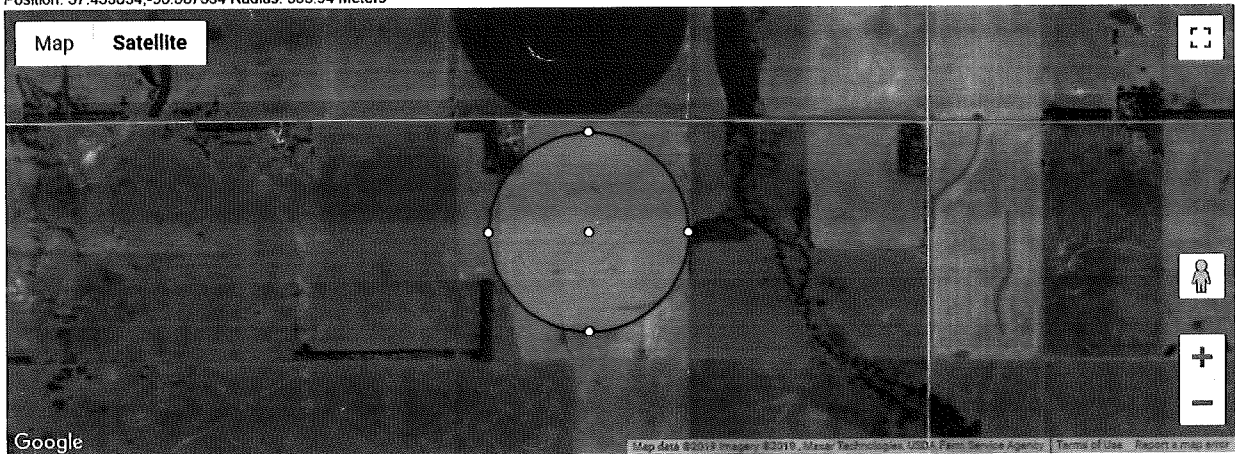
Stafford Field Office  
Division of Water Resources



Draw a circle - Create a circle on a google map using a point and a radius

Address  Radius  Feet  Circle  Border  Only Show Border

Position: 37.453034,-98.587334 Radius: 338.94 Meters



Return to this radius map here, just save this link

<https://www.mapdevelopers.com/draw-circle-tool.php?circles=%5B%5B338.94%2C37.4530337%2C-98.5873342%2C%22%23AAAAAA%22%2C%22%23000000%22%2C0.4%5D%5D>

RECEIVED

SEP 13 2019

Stafford Field Office  
Division of Water Resources

Chris Boyd  
Application, File No. 50,145  
Page 2

Based on the above discussion, well spacing and safe yield criteria are met, 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.

Matt Meier  
Environmental Scientist  
Permits Unit

1/23/20

↳ concurs w Recommendation  
Approve it

J.K. W.L.





9/13/2019

Water Resources  
Received

KS Dept Of Agriculture

**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN  
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT  
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River  
Big Blue River  
Chapman Creek  
Chikaskia River  
Cottonwood River  
Delaware River  
Little Arkansas River  
Little Blue River  
Marais des Cygnes River  
Medicine Lodge River  
Mill Creek (Wabaunsee Co. area)  
Neosho River

Ninnescah River  
North Fork Ninnescah River  
Rattlesnake Creek  
Republican River  
Saline River  
Smoky Hill River  
Solomon River  
South Fork Ninnescah  
Spring River  
Walnut River  
Whitewater River





9/13/2019

Water Resources  
Received

KS Dept Of Agriculture

9/11/19  
(Date)

Kansas Department of Agriculture  
Division of Water Resources  
David W. Barfield, Chief Engineer  
1320 Research Park Drive  
Manhattan, Kansas 66502

Re: Application File No. 50145

Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also 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. I realize that this could affect the economics of my decision to appropriate water.

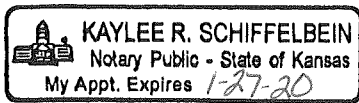
I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

CB  
Signature of Applicant

State of Kansas )  
County of Pratt ) ss )

Chris Boyd  
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 11 day of September, 2019.



Kaylee R. Schiffelbein  
Notary Public

My Commission Expires: 1-27-20

RECEIVED

SEP 13 2019

Stafford Field Office  
Division of Water Resources

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

CHRIS BOYD  
12001 NW SPRING CREEK RD  
MEDICINE LODGE, KS 67104

July 22, 2020

RE: Application, File No. 50,145

Dear Water User:

There is enclosed a permit to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this permit. A water meter is required and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed.

All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right. If you have any questions, please contact our office. If you wish to discuss this specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Kristen A. Baum".

Kristen A. Baum  
New Application Unit Supervisor  
Water Appropriation Program

Enclosures

pc: CALVIN E & CARLA J BOYD REV TRUST



# 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. 50,145** of the applicant

**CHRIS BOYD**  
**12001 NW SPRING CREEK RD**  
**MEDICINE LODGE, KS 67104**

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 15, 2018**.
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	
12	30S	12W					33	26	28.5	34.5									122

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well, which is to located in the Southwest Quarter of the Southwest Quarter of the Northwest Quarter (SW¼ SW¼ NW¼) of Section 12, more particularly described as being near a point 2,980 feet North and 4,682 feet West of the Southeast corner of said section, in Township 30 South, Range 12 West, Barber County, located substantially as shown on the map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **1,000 gallons per minute (2.228 c.f.s.)** and to a quantity not to exceed **170.8 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 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).

13. 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.

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.

18. That the well drilled and constructed under the authority of this permit shall be located in South-Central Kansas Designated Unit Area twenty-one (MED21) in accordance with Kansas Administrative Regulations 5-3-11(d)(4).





**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 27<sup>th</sup> day of July, 2020, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,145, dated July 22, 2020 was mailed postage prepaid, first class, US mail to the following:

CHRIS BOYD  
12001 NW SPRING CREEK RD  
MEDICINE LODGE, KS 67104

With photocopies to:

CALVIN E & CARLA J BOYD REV TRUST  
3501 NW PARK  
MEDICINE LODGE, KS 67104

Stafford Field Office



Division of Water Resources