

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

1. File Number: <p align="center">49,991</p>	2. Status Change Date: <p align="center">10/29/2020</p>	3. Field Office: <p align="center">3</p>	4. GMD: <p align="center">0</p>
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
7a. Applicant(s) New to system <input type="checkbox"/> Person ID 66228 Add Seq# _____ GARY HARBIN 2900 EAST WATER WELL ROAD SALINA KS 67401	7c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____		
7b. Landowner(s) New to system <input type="checkbox"/> Person ID 65956 Add Seq# _____ HARBIN FARM ENTERPRISES LLC 523 S SANTA FE AVE A SALINA KS 67401-4145	7d. Misc. New to system <input type="checkbox"/> Person ID _____ Add Seq# _____ KANSAS WATER OFFICE 900 SW JACKSON ST STE 404 TOPEKA KS 66612		
8. WUR Correspondent New to system <input type="checkbox"/> Person ID _____ Overlap File (s) WUC Add Seq# _____ Agree <input type="checkbox"/> Yes <input type="checkbox"/> No Notarized WUC Form <input type="checkbox"/> 7a.	9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Groundwater <input checked="" type="checkbox"/> Surface Water <input checked="" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN <input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON <input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG <input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____		
10. Completion Date: <u>12/31/2021</u> 11. Perfection Date: <u>12/31/2025</u> 12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
Date Prepared: 5/20/2020 By: DWS Date Entered: 11/3/2020 By: LMoody			

File No. **49,991** 15. Formation Code: Drainage Basin: SMOKY HILL RIVER County: **SA** Special Use: Stream: SMOKY HILL RIVER

16. Points of Diversion										17. Rate and Quantity MOD QTY				
MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W		Authorized Rate gpm	Quantity af	Additional Rate gpm	Quantity af	Overlap PD Files
√		86605	NW NE SE	7	15	2W	16	2156	702	1200	130*	1200	130	NONE

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								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						
√	68752	7	15	2W	9			9						22.4			11.9	17	40	9.1	14.6	124	7b.	No	NONE		

Comments: **LOWER SMOKY HILL RIVER IRRIGATION ACCESS DISTRICT OVERLAP.**
***REDUCED QUANTITY TO WHAT WAS PURCHASED FROM THE DISTRICT.**

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: May 20, 2020

FROM: Doug Schemm

RE: Application, File No. 49,991

Gary Harbin has filed the above referenced application to appropriate surface water directly from the Smoky Hill River for irrigation use. The applicant is proposing a single pump site, and requesting 130 acre-feet of surface water at a diversion rate of 1,200 gallons per minute to irrigate 124 acres in Saline County. The place of use is wholly owned by the applicant (under Harbin Farm Enterprises, LLC), and the applicant has signed the application form stating he has access to the point of diversion. There are no overlapping files in point of diversion or place of use.

The initial application had requested 161.2 acre-feet, which is the maximum allowable to irrigate the proposed 124 acres with 1.3 acre-feet per acre in Saline County, Kansas. However, the applicant has only purchased 130 acre-feet from the Lower Smoky Hill Access District, therefore the application quantity was reduced to this same 130 acre-feet (1 for 1). This still provides over 1 acre-foot per acre, a reasonable quantity. The applicant was contacted by telephone on May 20, 2020 and agreed to the quantity of water reduction.

The applicant provided a list of landowners, and notification letters were sent to upstream and downstream landowners on May 8, 2020. No comments of any kind were received. There are multiple surface water rights located both upstream and downstream of the pump site within a two-mile radius. The nearest downstream pump site is located over 2,000 feet away. Therefore, with proper conditioning, approval of this application will not impair any senior water rights.

Since the source of supply will be the direct diversion of surface water from the Smoky Hill River, this application is subject to the restrictions of K.A.R. 5-3-15, which, in part, require the applicant to demonstrate that the direct diversion of surface water is not necessary during the period from July 1 through September 30 of each calendar year. In order to comply with K.A.R 5-3-15 (c)(5) the applicant is proposing to use stored water from Kanopolis Reservoir, under the newly formed Lower Smoky Hill River Irrigation District. This stored water is now available to irrigators since the special use district has been implemented. Per K.A.R 5-3-15, the application 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 or verbal permission from the Chief Engineer, or an authorized representative is required prior to diverting water, and streamflow cannot be stopped at the first riffle below the point of diversion while diversion is taking place.

A copy of the application was sent to the Kansas Water Office for their review and comment. In a letter dated May 6, 2020, the KWO stated that the results of the OASIS model run indicate that there is sufficient assurance reservoir storage to support the requested additional water. DWR Technical Services staff also recommended approval of the new application in conjunction with the determination by the KWO.

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.

Gary Harbin
Memorandum – File No. 49,991
Page 2

The applicant has submitted a signed Minimum Desirable Streamflow form for the pending new application, which has been properly notarized. By completing this statement, the applicant affirms his/her knowledge that there could be times when the diversion of water may not be allowed under this permit.

Kelly Stewart, Water Commissioner, Stockton Field Office, recommended that the referenced new application be approved in an e-mail received on May 20, 2020.

Based on the above discussion, the application is supported by the Lower Smoky Hill River Access District, the Smoky Hill River is open to new appropriations meeting specific criteria, the application complies with all regulations, the Kansas Water Office supports approval, 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.

Doug Schemm
Environmental Scientist
Topeka Field Office

Schemm, Doug [KDA]

From: Stewart, Kelly [KDA]
Sent: Wednesday, May 20, 2020 10:45 AM
To: Schemm, Doug [KDA]
Cc: Billinger, Mark [KDA]; Hageman, Rebecca [KDA]
Subject: RE: 49991 Gary Harbin

Doug,

I have no objection to the approval of the referenced application. We have not communicated with Dr. Harbin regarding the quantity. It would probably be best to run that by him before sending it on up.

Kelly

From: Schemm, Doug [KDA] <Doug.Schemm@ks.gov>
Sent: Wednesday, May 20, 2020 10:05 AM
To: Stewart, Kelly [KDA] <Kelly.Stewart@ks.gov>
Cc: Billinger, Mark [KDA] <Mark.Billinger@ks.gov>
Subject: 49991 Gary Harbin

Hello Stockton,

Good to go on this one. Got the letter from the KWO and reduced quantity to 130 AF.

Do I need to contact Gary about quantity reduction or is he expecting it?

Please review

Thanks, Doug

May 6th, 2020


Doug Schemm
Topeka Field Office
1131 SW Winding Rd, Suite 400
Topeka, KS 66615

Basin scale modeling has been conducted by the Kansas Water Office (KWO) within the Smoky Hill River basin to determine required water supply storage for drought periods given historical drought conditions. To do so, the Smoky Hill River basin was simulated for the period of 1950-2014 using historical conditions, except with reservoir inflows being depleted early in the simulation based on the trends through time.

The Smoky Hill River basin model is made up of Kanopolis Lake and downstream users to the confluence with the Republican River near Junction City, Kansas. Kanopolis Lake holds water for the Smoky Hill Access District, containing accounts for municipal and irrigation water users. For the irrigation portion of the Smoky Hill Access District, 1952-1957 represents the multi-year drought of record whereas 2012 represents the single-year drought of record.

KWO modeling of member demands indicates that the 24.23% of Kanopolis conservation storage (approximately 11,259 acre-feet in 2020) currently owned by the Smoky Hill Access District would be sufficient to supply water use authorized by Application, File No. 49,991 along with current appropriations during the historic droughts, given both current capacity of Kanopolis and the capacity in 20 years.

Chris Shultz



Kansas Water Office

LOWER SMOKY VALLEY IRRIGATION DISTRICT

ATTN: Kelly Stewart
March 20, 2020

These are the applications for additional water rights. The district has been authorized by the Kansas State Water Office to purchase an additional 510 acre feet. Four of the applications will be for additional water to supplement existing rights. Two of them will be for new water rights totally backed by purchased water.

ADDITIONAL WATER FOR EXISTING RIGHTS:

Dean Evans Jr. - owner	
Mike Becker – operator	100 Acre feet
Craig Myers – owner	
Matt Toll – operator	40 Acre feet
Eric Peterson - owner / operator	50 Acre feet
Chad Ellwood – owner	
Tim Larson – operator	80 Acre feet

NEW WATER RIGHTS:

Gary Harbin – owner	
Chris Short – operator	130 Acre feet
Tom Toll – owner / operator	110 Acre feet

The place of use and amounts allocated will be up to the owners to negotiate with the Division of Water Resources.

Tom Toll
President of Lower Smoky Valley Irrigation District

RECEIVED

MAR 23 2020

Stockton Field Office
Division of Water Resources

Report Date: Wednesday, May 20 2020

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49991 00

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AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49991 00 IRR

Water Right and Points of Diversion Within 2.00 of a point defined as:

2156 Feet North and 702 Feet West of the Southeast Corner of Section 7 Twp 15S Rng 2W

SURFACE WATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit					
A__	569	00	IRR	NK	S				8939	--	SE	NE	NW	-----	-----	20	15	2W	1		95.00	95.00	AF
A__	573	00	IRR	NK	S				9618	--	CE	SW	NW	-----	-----	20	15	2W	3		139.00	139.00	AF
A__	3096	00	IRR	NK	S				7232	--	SW	SW	SE	200	1320	18	15	2W	1		138.00	138.00	AF
Same																							
									9764	--	SE	SE	NE	2970	3	19	15	2W	1				
A__	12027	00	IRR	NK	S				2089	NC	N2	SW	NW	3640	4610	8	15	2W	3		80.00	80.00	AF
A__	46471	00	REC	NK	S				8696	--	NW	NW	NE	4873	2744	5	15	2W	2		8.30	8.30	AF
A__	49991	00	IRR	AY	S				0	--	NW	NE	SE	2156	702	7	15	2W	16		161.20	161.20	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	161.20	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	460.30	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	621.50	.00

An * after the source of supply indicates a pending application for change under the file number.

An * after the ID indicates a 15 AF exemption was granted under the file number.

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.

The number in the Batt column is the number of wells in the battery.

Water Right and Points of Diversion Within 2.00 of a point defined as:

2156 Feet North and 702 Feet West of the Southeast Corner of Section 7 Twp 15S Rng 2W

SURFACE WATER ONLY

WATER USE CORRESPONDENTS:

- > F ELAINE FORSBERG TRUSTS
- > DEBRA SPARE
- > 116 NE 35TH ST
- > SAINT JOHN KS 67576
-
- > F ELAINE FORSBERG TRUSTS
- > DEBRA SPARE
- > 116 NE 35TH ST
- > SAINT JOHN KS 67576
-
- > HAMMOND FAMILY LLC
- > ATTN ROBIN NEWTON
- > 4130 S CYPRESS
- > DERBY KS 67037
-
- > WILLIAM J HARBIN
- >
- > 4032 S HOLMES RD
- > SALINA KS 67401
-
- > PAMELA J HODGES TRUST
- > JOSEPH O HODGES
- > 3109 DREW AVE
- > SALINA KS 67401
-
- > HARBIN FARM ENTERPRISES LLC
- >
- > 523 S SANTA FE AVE A

> SALINA KS 67401

> - - - - -

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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. **49,991** of the applicant

GARY HARBIN
2900 E WATER WELL ROAD
SALINA KS 67401

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 **February 7, 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					
7	15S	2W			9									22.4				11.9	17	40	9.1	14.6	124

3. That the authorized source from which the appropriation shall be made is surface water from the Smoky Hill River, to be diverted at one (1) pump site located in the Northwest Quarter of the Northeast Quarter of the Southeast Quarter (NW¼ NE¼ SE¼) of Section 7, more particularly described as being near a point 2,156 feet North and 702 feet West of the Southeast corner of said section, in Township 15 South, Range 2 West, Saline 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 **1,200 gallons per minute (2.67 c.f.s.)** and to a quantity not to exceed **130 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 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 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 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.

16. 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.

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

18. 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.

19. That during the period October 1 through June 30, the verbal or written permission of the Chief Engineer, or an authorized representative of the Chief Engineer, shall be obtained in order to divert water each time the applicant desires to divert water.

20. That during the period July 1 through September 30 each calendar year, no direct diversions of surface water shall be permitted unless written permission is obtained from the Chief Engineer, or the Chief Engineer's authorized representative.

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

GARY HARBIN
2900 E WATER WELL ROAD
SALINA KS 67401

RE: Appropriation of Water, File No. 49,991

Dear Mr. Harbin:

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 Stockton Field Office at 785-425-6787. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

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

KAB:dws
Enclosure(s)

pc: Stockton Field Office
Harbin Farm Enterprises LLC
Kansas Water 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 9 day of November, 2020, I hereby certify that the foregoing Approval of Application, File No. 49,991, dated 29 October 2020 was mailed postage prepaid, first class, US mail to the following:


GARY HARBIN
2900 E WATER WELL ROAD
SALINA KS 67401

With photocopies to:

HARBIN FARM ENTERPRISES LLC
523 S SANTA FE AVE A
SALINA KS 67401-4145

KANSAS WATER OFFICE
900 SW JACKSON ST STE 404
TOPEKA KS 66612

Stockton Field Office


Division of Water Resources

