

File No. 50,018	15. Formation Code: 112	Drainage Basin: KANSAS RIVER	County: LV	Special Use:	Stream:																																																																																				
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="10" style="width:55%; vertical-align: top;"> 16. Points of Diversion T MOD DEL PDIV ENT Qualifier S T R ID 'N 'W </td> <td colspan="5" style="width:45%; vertical-align: top;"> 17. Rate and Quantity Authorized Additional Rate Quantity Rate Quantity gpm af gpm af Overlap PD Files </td> </tr> <tr> <td style="text-align: center;">√</td> <td style="text-align: center;">86665</td> <td style="text-align: center;">NW NE SW</td> <td style="text-align: center;">9</td> <td style="text-align: center;">12S</td> <td style="text-align: center;">21E</td> <td style="text-align: center;">2</td> <td style="text-align: center;">2382</td> <td style="text-align: center;">3490</td> <td style="text-align: center;">20</td> <td style="text-align: center;">16</td> <td style="text-align: center;">20</td> <td style="text-align: center;">16</td> <td style="text-align: center;">NONE</td> </tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </table>					16. Points of Diversion T MOD DEL PDIV ENT Qualifier S T R ID 'N 'W										17. Rate and Quantity Authorized Additional Rate Quantity Rate Quantity gpm af gpm af Overlap PD Files					√	86665	NW NE SW	9	12S	21E	2	2382	3490	20	16	20	16	NONE																																																								
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18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft																																																																																									
19. Limitation: _____ /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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No To be installed by 12/31/2023 Date Acceptable Meter Installed _____																																																																																									
21. Place of Use T 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																																																																								
√	66030	9	12	21E	1	RECREATIONAL POND (NE1/4 SW1/4)													7a	NO	NONE																																																																				

Comments:
Approved with a waiver of wells spacing.

Kansas Department of Agriculture
 Division of Water Resources
WAIVER REQUEST & WAIVER RULE WORKSHEET

File Number: **50,018**

FO: **1**

GMD:

WAIVER REQUEST:

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
REC	12/6/21	6	Statewide	Well Spacing Domestic	Well to Well Spacing
Rule Number	Date Granted	Date Denied	Justification:	Application fails to meet spacing to a nearby domestic well located about 559 ft away. Data collected by DWR Tech Services was sufficient to substitute for a formal pumping test and to show that the required spacing is not necessary to prevent direct impairment and that no further information is needed from the applicant. Meets spacing to all other wells.	
K.A.R. 5-4-4c2c	6/9/2022				

WAIVER RULE (complete only if a new rule needs to be created):

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive
				K.A.R.		

Date Prepared **2/7/22** By **LHH/TFO**

Date Entered **6/13/2022** By

LMoody

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

MEMORANDUM

TO: Files

DATE: February 8, 2022

FROM: Lloyd Hemphill

RE: Application, File No. 50,018, and
Dismissed File No. 49,096

James Bell has filed the above referenced new application to appropriate 16 acre-feet of groundwater at a rate of diversion not to exceed 20 gallons per minute for recreational use to fill and maintain water level in a pond. The point of diversion is an existing well located in the Southwest Quarter of Section 9, Township 12 South, Range 21 East, Leavenworth County, within the Kansas River Basin. The applicant has signed the application form stating that he has access to the point of diversion. There are no active overlapping files in point of diversion or place of use. This application covers the original point of diversion and place of use proposed by dismissed File No. 49,096.

The applicant previously submitted File No. 49,096 to authorize this same well (an existing well), however after further review it was determined that this well is located 559 feet from an existing domestic well and does not meet required well spacing of 660 feet. The nearby domestic well owner (David Downes) expressed considerable concern of potential impact to their well. After further discussion, the applicant agreed to modify his well location under File No. 49,096 to meet spacing to the domestic well by moving it 176 feet further away (735' from the domestic well). This application was approved, but the well was dry. The appropriation of water has been dismissed for failure to complete. The applicant has submitted New Application, File No. 50,018 and is requesting that it be located where he originally requested at 559 feet from the existing domestic well. Mr. Bell planned to hire a consultant to perform a pumping test to support a waiver of well spacing.

John Munson, DWR Tech Services, visited the site to talk to the applicant and domestic well owner about the requirements for a potential pumping test. He installed data logging equipment in both wells and monitored water levels while the applicant operated his well as normal. Enough data was collected to substitute for a formal pumping test. This data showed that the applicant's well will have very little impact on the nearby domestic well. John Munson recommended that the application be approved without the requirements to construct an observation well and conduct a 48 hour pumping test. See the file for Mr. Munson's full report and conclusions. David Downs also indicated to Mr. Munson that he was less concerned about the impact to his well than when he made his initial comment because he has since been connected to a rural water supply.

The Water Well Record submitted with the application shows that the subsurface lithology is soil and clay to a depth of 24 feet, fine to coarse sand to 33 feet (with an intervening clay layer), underlain by limestone and shale to the total depth of 60 feet. The static water level when the well was drilled was at 21 feet depth (above the top of the sand interval) indicating confined or semi-confined aquifer conditions. From the Kansas Geological Survey, Map M-53, Geologic Map of Leavenworth County, Kansas, 1998, it appears that the sand formation in the proposed well is from the Quaternary alluvium along Ninemile Creek. Limestone and shale at the edges of the stream valley appear to be the Stranger formation overlying limestone and shale of the Stanton Formation.

Per K.A.R. 5-3-14, safe yield for a confined aquifer is processed on a case by case basis using the best available information. Because the aquifer is relatively shallow, and no specific criteria have been developed for this aquifer, it appears that the pending application can be reviewed using the safe yield criteria in K.A.R. 5-3-11(unconfined aquifers). Based on this method, safe yield was determined by estimating the extent of the alluvial aquifer, which provided an area of consideration of 1,480 acres. Based on a potential recharge of 9.2 inches, with 75% available for appropriation, safe yield was determined to be 851.19 acre-feet. There are no other prior non-domestic water rights in this aquifer, within the area of consideration, and the full 851.19 acre-feet is available for appropriation. There is sufficient quantity of water available for appropriation, and the application meets safe yield criteria.

Notification letters were sent to three nearby well owners during the review of the previous application. David Downes, mentioned above, was the only owner to provide any comment. Since DWR was in communication with Mr. Downes, no additional notification letters were sent for the new application. There are no non-domestic wells within two miles of the proposed well. The well meets the required spacing of 1,320 feet to non-domestic wells and the data collected by DWR will support a waiver of the 660 feet spacing from domestic wells as required by K.A.R. 5-4-4.

The requested quantity of 16 acre-feet will be used to offset losses due to seepage and evaporation from a recreational pond as follows:

$$\begin{aligned} &5 \text{ inches of potential evaporation} \times 1.2 \text{ acre surface area} \times 3 \text{ years} = 1.4 \text{ acre-feet} \\ &+ 14.5 \text{ acre-feet of seepage} = 16 \text{ acre-feet.} \end{aligned}$$

This quantity was estimated from the previous pumping history and appears reasonable for recreational use.

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 chemicals will be injected into the water pumped under this permit, a check valve will also be required.

Katherine Tietsort, Water Commissioner of the Topeka Field Office, recommended approval of the referenced application in a February 7, 2022 e-mail. Based on the above discussion, the application complies with safe yield and well spacing criteria is not needed to prevent impairment, the use is reasonable and justified, and approval will not impair senior water rights, it is recommended that the referenced application be approved along with a waiver of well spacing.

Lloyd Hemphill
Environmental Scientist
Topeka Field Office

Hemphill, Lloyd [KDA]

From: Tietsort, Katie [KDA]
Sent: Monday, February 7, 2022 4:19 PM
To: Hemphill, Lloyd [KDA]
Subject: RE: Pending Application, File No. 50018: For Your Recommendation

Hello Lloyd,

The TFO has no objections to approval of the application as discussed in your memo and the supporting information.

Thanks for all your work,

Katie Tietsort

Water Commissioner

Katie.Tietsort@ks.gov
Ph. 785-296-5733 Cell 785-213-9188
Kansas Department of Agriculture
Topeka Field Office
1131 SW Winding Rd, Suite 400
Topeka, KS 66615

From: Hemphill, Lloyd [KDA] <Lloyd.Hemphill@ks.gov>
Sent: Monday, February 7, 2022 10:16 AM
To: Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>
Subject: Pending Application, File No. 50018: For Your Recommendation

Katie,

Will you provide your recommendation on Application, File No. 50,018 (James Bell)?

This is an application to cover an existing well (illegal diversion) used to fill an existing recreational pond. The permit will be approved with a waiver of well spacing as the proposed PD does not meet spacing requirements to an existing domestic well. You may refer to John Munson's full analysis and recommendations in Docuware, indicating that this well will have little to no impact on the nearby domestic well and supporting the approval of this application along with a waiver of well spacing.

Let me know if you have any questions.

Thanks,
Lloyd

Lloyd Hemphill, Environmental Scientist
Kansas Department of Agriculture
Division of Water Resources, Topeka Field Office
1131 SW Winding Rd, Suite 400
Topeka, KS 66615
(785) 296-5733

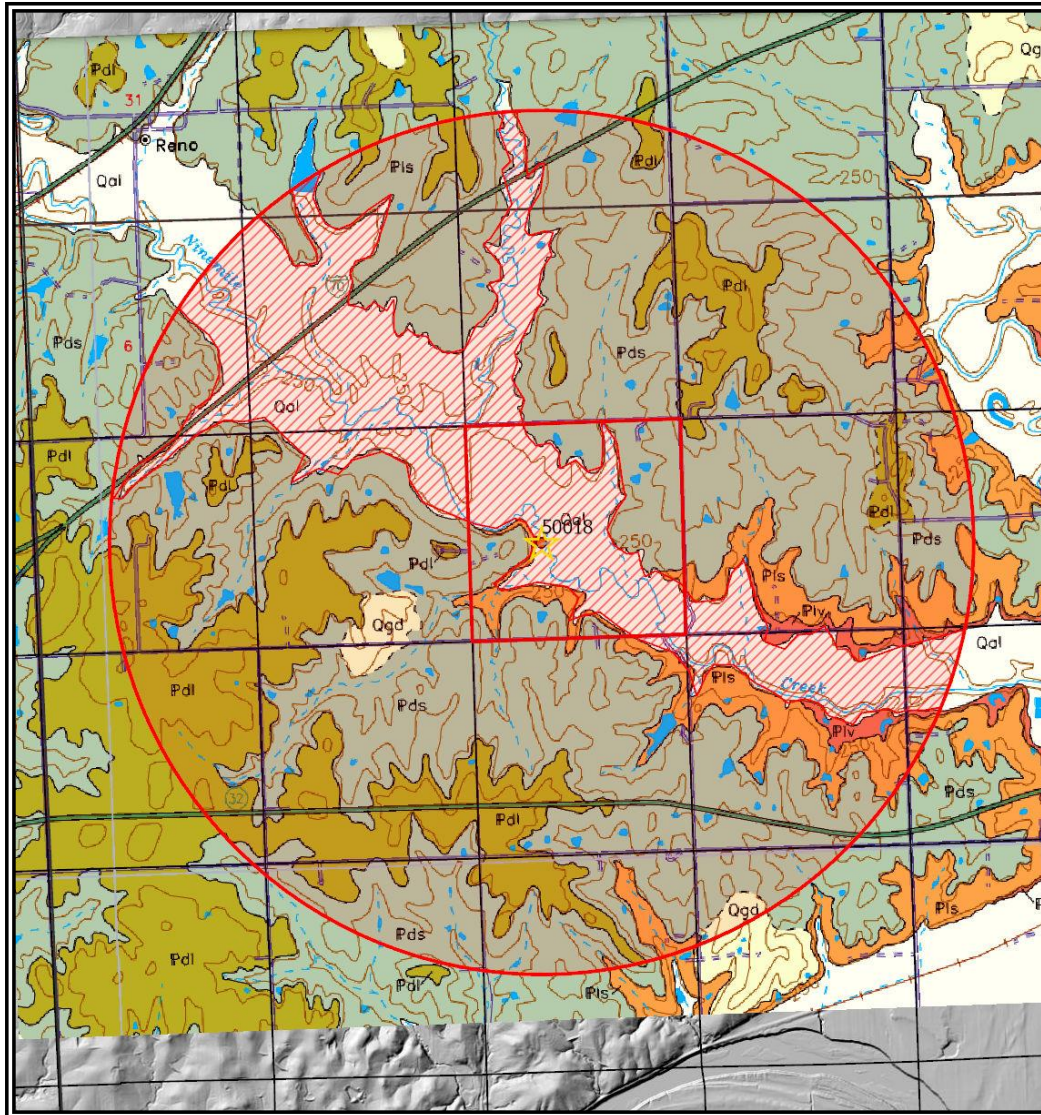
NOTE NEW ADDRESS

Safe Yield Report Sheet

Water Right- A5001800

Point of Diversion in 09-12S-21E

Footages from SE corner- 2,382 feet North 3,490 feet West



Analysis Results

This application meets safe yield requirements.

The selected PD is in an area OPEN to new appropriations.

The safe yield based on the variables listed below is 851.19 AF.

Total prior appropriations in the circle is 16.00 AF.

Total quantity of water available for appropriation is 835.19 AF.

Safe Yield Variables

The area used for the analysis is set at 1,480 acres.

The potential annual recharge at the circle center is estimated to be 9.2 inches.

The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 02-FEB-2022 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 is 1 water right and 1 point 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 50018 00	REC	AY	G		NW	NE	SW	2382	3490	09	12	21E	2	WR	16.00	16.00		

Water Rights and Points of Diversion Within 2 miles of point defined as:
 2382 Feet N and 3490 Feet W of the Southeast Corner of Section 9 Twp 12S Rng 21E
 Located at: 95.087299 West Longitude and 39.021451 North Latitude
 GROUNDWATER ONLY

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File Number      Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth_Quan Add_Quan
Unit
A__ 50018 00 REC AY G          1 -- NW NE SW 2382 3490 9 12 21E 2          16.00 16.00
  AF
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Total Net Quantities Authorized:   Direct           Storage
Total Requested Amount (AF) =      16.00             .00
Total Permitted Amount (AF) =         .00             .00
Total Inspected Amount (AF) =         .00             .00
Total Pro_Cert Amount (AF) =         .00             .00
Total Certified Amount (AF) =         .00             .00
Total Vested Amount (AF) =           .00             .00
TOTAL AMOUNT (AF) =                16.00             .00
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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 Rights and Points of Diversion Within 2 miles of point defined as:
 2382 Feet North and 3490 Feet West of the Southeast Corner of Section 9 Twp 12S Rng 21E
 Located at: 95.087299 West Longitude and 39.021451 North Latitude
 GROUNDWATER ONLY
 WATER USE CORRESPONDENTS:

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=====
File Number      Use ST SR
> JAMES E BELL JR
>
> P O BOX 488
> TONGANOXIE KS 66086
>-----
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THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., Chief Engineer

WAIVER OF REGULATION
K.A.R. 5-4-4(c)(2)(c) Well Spacing

Date: June 9, 2022.

Re: Application, File No. 50,018

1. That the proposed point of diversion under the above referenced application fails to meet the minimum well spacing criteria of 660 feet to an existing domestic well as required by K.A.R. 5-4-4(c)(2)(C). The proposed well is located approximately 559 feet from a domestic well owned by David Downes.
2. That Division of Water Resources Water Management Services collected data from the proposed well and the nearby domestic well during a period of normal operation. Analysis of this data indicated that the current spacing is sufficient to prevent direct impairment and no further information would be necessary from the applicant.
3. That the domestic well owner indicated to the Division of Water Resources that his household has been connected to a rural water supply and the domestic well will be used with less frequency.
4. That a waiver of K.A.R. 5-4-4(c)(2)(C) will not prejudicially or unreasonably affect the public interest and should not impair any existing water rights.

Comments:



A handwritten signature in blue ink, appearing to read "Earl D. Lewis Jr.", written over a horizontal line.

Earl D. Lewis Jr., P.E.
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

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. 50,018** of the applicant

JAMES E BELL JR
P O BOX 488
TONGANOXIE, KS 66086

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **March 22, 2018**.
2. That the water sought to be appropriated shall be used for recreational use for filling and maintaining water level in a reservoir, located in the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 9 Township 12 South, Range 21 East, Leavenworth County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater in the Kansas River Basin, to be diverted from one (1) well located in the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 9, more particularly described as being near a point 2,382 feet North and 3,490 feet West of the Southeast corner of said section, in Township 12 South, Range 21 East, Leavenworth County, Kansas, 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 20 gallons per minute (0.044 c.f.s.) and to a quantity not to exceed 16 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, 2023** 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, 2027** 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 the 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 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.

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 day of , 2022, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,018, dated was mailed postage prepaid, first class, US mail to the following:

JAMES E BELL JR
P O BOX 488
TONGANOXIE, KS 66086

With photocopies to:

Topeka 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

June 14, 2022

JAMES E BELL JR
P O BOX 488
TONGANOXIE, KS 66086

RE: Appropriation of Water, File No. 50,018

Dear Mr. Bell:

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

Notice must be filed on the enclosed form once the diversion works have been completed. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of this permit. If you need an extension of time, you must request it before the deadline for completion set forth in the permit. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00.

An acceptable water flowmeter must be installed on the diversion works authorized by this permit prior to using water. An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year. If a complete annual water use report is not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your report online at www.kswaterusereport.org.

The approval of your application constitutes a permit to appropriate water. It does not give authority to construct any dam or other stream obstruction regulated by K.S.A. 82a-301 through 305a. It does not give authority to access any right-of-way or authorize trespassing upon or injury to public or private property. It may also be necessary for you to comply with other local, state or federal requirements.

Enclosed is an informational sheet that sets forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your perfected water right. Additional information and applicable forms may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any questions or need assistance with any of these requirements, please contact our office at 785-564-6640 or your local Topeka Field Office at 785-296-5733. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

KAB:lh
Enclosures

pc: Topeka Field Office

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may 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.

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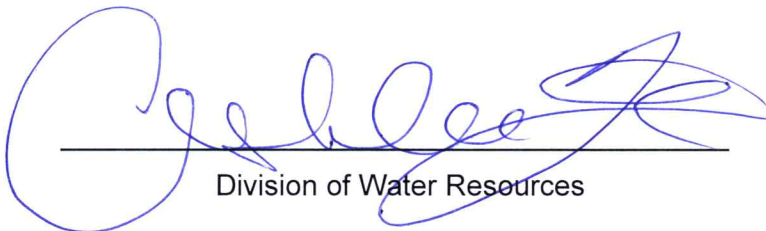
CERTIFICATE OF SERVICE

On this 14 day of June, 2022, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,018, dated 9 June 2022 was mailed postage prepaid, first class, US mail to the following:

JAMES E BELL JR
P O BOX 488
TONGANOXIE, KS 66086

With photocopies to:

Topeka Field Office



Division of Water Resources