

File No. **50562** 15. Formation Code: Drainage Basin: Missouri River County: Doniphan Special Use: Stream: **Cedar Creek 1A1**

16. Points of Diversion										17. Rate and Quantity					
T	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized		Additional		Overlap PD Files
ENT											Rate gpm	Quantity af	Rate gpm	Quantity af	
ENT	88731	NW SE SE	19	1S 19E	1	910	715				NF(REDIV 1400)	298	NF(REDIV 1400)	298	NA
											1400		1400		

2/22/2022
KJN

18. Storage: Rate 0 NF Quantity 298 ac/ft Additional Rate 0 NF Additional Quantity 298 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 12/31/2023 Date Acceptable Meter Installed _____

21. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
T	MOD	DEL	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						
ENT	70348	19	1S 19E	1						40	40									40	40	40	40	240	7a	N	NA		
ENT	70349	30	1S 19E	1						40	40													80	7a	N	NA		
ENT	70350	25	1S 18E	1				40	40	40	40													160	7a	N	NA		

Comments:

,

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: January 27, 2022

FROM: Brandon Milner

RE: Application, File No. 50,562

MKM LLC (Ken McCauley) has filed the application referred to above for a permit to appropriate 298 acre-feet of surface water in a proposed reservoir at a rate not to exceed all natural flows of Cedar Creek Trib. 1. This quantity (298) acre-feet of the stored water will then be rediverted at 1,400 gallons per minute for irrigation use. The point of diversion is the centerline of a dam located in the Southeast Quarter of Section 19, Township 1 South, Range 19 East, in Doniphan County. The proposed reservoir is located within the Missouri River drainage basin and has a capacity of 77 acre-feet. The applicant has signed the application form stating he has access to the point of diversion. The applicant owns the entire place of use, which comprises 480 acres for irrigation.

Runoff calculations determined that there is 17.46 inches of runoff per acre, and the small drainage area of 204.8 acres will only provide for 298 acre-feet of runoff in 1 out of every five (5) years (a 20% chance). Therefore, per K.A.R. 5-6-5, the runoff quantity is the limiting factor, and the application was reduced to this quantity. The proposed direct use quantity of 298 acre-feet, is equivalent to 3.87 times the capacity (77 AF), which is well within the normal "rule of thumb" of direct use quantity being no more than 5 times the capacity of the reservoir at normal pool for reasonable storage quantity.

The total quantity of water that will be rediverted (298 acre-feet), is less than the maximum allowable to irrigate the proposed 480 acres, based on the allowable quantity for irrigation in Doniphan County of 1.0 AF/acre. However, irrigation in the eastern part of Kansas is seen more of a supplemental water source due to adequate rainfall.

Two landowners were identified within one-half ($\frac{1}{2}$) mile of the property lines, and nearby letters were sent out on January 20, 2022, with one response to date. I did receive one phone call from Judith Wegener on February 1, 2022, with concerns about future water rights in the area. She did not file a written letter of concern.

The proposed structure was reviewed by DWR Water Structures Program staff and was determined to qualify for a Class A Exemption.

As allowed by K.S.A. 82a-706(c) an approved water flow meter shall be installed on the secondary diversion works (pump site) for this file. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. Since this is a proposed, new reservoir, a Special Condition on the Permit will be needed to provide an initial fill quantity of 62.7 acre-feet (capacity).

The recommendation memo was sent to Katie Tiescort, Water Commissioner, Topeka Field Office, for recommendation on February 7, 2022 and was recommended for approval on February 8, 2022. Based on the above discussion, that this area is open to new appropriations, the proposed appropriation of water is reasonable, the dam is non-jurisdictional for structures permitting, and senior rights will not be impacted, it is recommended that the referenced new application be approved.

Brandon Milner
Environmental Scientist
New Applications Unit

From: Tietsort, Katie [KDA]
Sent: Tue 2/8/2022 10:07 AM
To: Milner, Brandon [KDA]
Subject: RE: 50562 Memo

Hello Brandon,

This file looks ready to move forward for Approval. It appears to meet all rules and regulations of the KWAA.

Thanks for your work!
Have a great day, Katie

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: Milner, Brandon [KDA] <Brandon.M.Milner@ks.gov>
Sent: Tuesday, February 8, 2022 9:09 AM
To: Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>
Subject: 50562 Memo

Katie,

Maybe I should just go home today. Ughh. I'm hoping this is the correct memo for application no. 50,562.

Brandon Milner
Environmental Scientist
Water Appropriation Program

File Name:	PotentialAnnualRunoff_v1.0.xlsx
Author:	D. Engelhaupt
Last Revision:	2-Apr-19
Purpose	Computes potential annual runoff at 20%

Instructions for Use	
	<ol style="list-style-type: none"> 1 Go to sheet <i>Potential Annual Runoff</i> (green) 2 Enter the mean annual precipitation (inches) into cell F3 3 Enter the soil cover complex number into cell F4 4 Enter the basin drainage area (acres) into cell F5 5 Computed potential annual runoff is in cell F6

Sheet Descriptions	
Instructions	This sheet
Potential Annual Runoff	Contains input, computations and outputs potential annual runoff.
CN & Precip - Mean Runoff	Contains a table and plot of soil complex number/annual precipitation vs. mean annual runoff. Computations interpolate from this table.
Mean Runoff - PChnc FIRM	Plot and table of the power curves that approximate the 50, 80 and 90% chance for a given mean annual runoff (inches).

PDFs
Mean Annual Precipitation
Soil Cover Complex

Mean Annual Precip, in	37
Soil Cover Complex No.	80
Drainage Area, acres	204.8
Runoff at 20% Chance, AF	297.98

DO NOT EDIT BELOW

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

%Chance Firm	Runoff, in	Comp. Runoff, in
50%	5.76	5.76
80%	1.92	1.90
90%	1.04	1.06
20%		17.46

OW THIS LINE

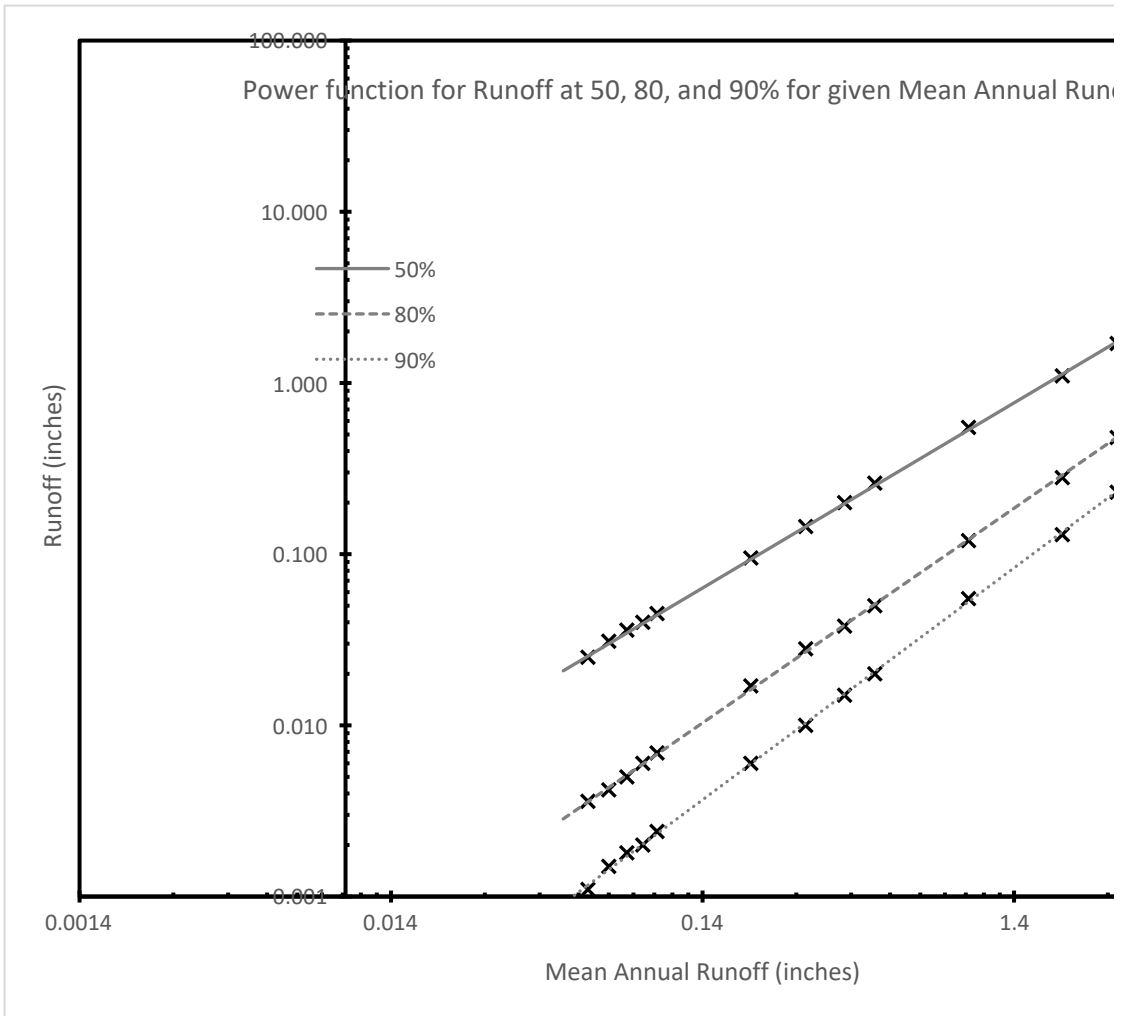
Std. Dev. 90%	1.33
Std. Dev. 80%	1.30
Avg	1.32

Mean annual runoff for CN = 80, inches	9.05
Mean annual runoff for CN = 85, inches	10.04
Interp. Mean annual runoff for CN = 80, inches	9.05

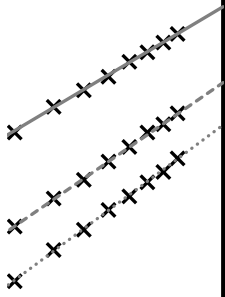
Calculated			
	50%	80%	90%
0.05	0.021	0.003	0.001
0.06	0.025	0.004	0.001
0.07	0.030	0.004	0.001
0.08	0.035	0.005	0.002
0.09	0.039	0.006	0.002
0.1	0.044	0.007	0.002
0.11	0.049	0.008	0.003
0.12	0.054	0.009	0.003
0.13	0.059	0.009	0.003
0.14	0.063	0.010	0.004
0.15	0.068	0.011	0.004
0.16	0.073	0.012	0.004
0.17	0.078	0.013	0.005
0.18	0.083	0.014	0.005
0.19	0.088	0.015	0.006
0.2	0.093	0.016	0.006
0.25	0.119	0.021	0.008
0.3	0.145	0.027	0.010
0.35	0.171	0.033	0.013
0.4	0.197	0.039	0.015
0.45	0.224	0.045	0.018
0.5	0.251	0.051	0.021
0.6	0.306	0.064	0.026
0.7	0.362	0.078	0.033
0.8	0.418	0.092	0.039
0.9	0.474	0.107	0.046
1	0.532	0.122	0.053
1.1	0.589	0.137	0.060
1.2	0.648	0.153	0.067
1.3	0.706	0.169	0.075
1.4	0.765	0.185	0.083
1.5	0.824	0.202	0.091
1.6	0.884	0.219	0.100
1.7	0.94	0.24	0.11
1.8	1.00	0.25	0.12
1.9	1.06	0.27	0.13
2	1.13	0.29	0.13
2.1	1.19	0.31	0.14
2.2	1.25	0.33	0.15
2.3	1.31	0.35	0.16
2.4	1.37	0.36	0.17
2.5	1.43	0.38	0.18
2.6	1.49	0.40	0.19
2.7	1.56	0.42	0.20
2.8	1.62	0.44	0.21
2.9	1.68	0.46	0.22
3	1.74	0.48	0.23
3.1	1.81	0.50	0.24
3.2	1.87	0.52	0.25
3.3	1.93	0.54	0.27
3.4	2.00	0.56	0.28
3.5	2.06	0.58	0.29
3.6	2.12	0.61	0.30

Read from chart			
	Cht. 50%	Cht. 80%	Cht. 90%
0.06	0.025	0.0036	0.0011
0.07	0.031	0.0042	0.0015
0.08	0.036	0.005	0.0018
0.09	0.04	0.006	0.002
0.1	0.045	0.0069	0.0024
0.2	0.095	0.017	0.006
0.3	0.145	0.028	0.01
0.4	0.2	0.038	0.015
0.5	0.26	0.05	0.02
1	0.55	0.12	0.055
2	1.1	0.28	0.13
3	1.7	0.48	0.23
4	2.4	0.7	0.35
5	3	0.9	0.46
6	3.6	1.15	0.6
7	4.4	1.4	0.72
8	5	1.7	0.87
9	5.7	1.9	1
10	6.4	2.2	1.2
20	14	5.2	3

3.7	2.19	0.63	0.31
3.8	2.25	0.65	0.32
3.9	2.32	0.67	0.33
4	2.38	0.69	0.34
4.2	2.51	0.74	0.37
4.4	2.64	0.78	0.39
4.6	2.77	0.82	0.42
4.8	2.90	0.87	0.44
5	3.03	0.91	0.47
5.2	3.16	0.96	0.49
5.4	3.29	1.01	0.52
5.6	3.43	1.05	0.54
5.8	3.56	1.10	0.57
6	3.69	1.15	0.60
6.2	3.83	1.20	0.62
6.4	3.96	1.25	0.65
6.6	4.09	1.30	0.68
6.8	4.23	1.35	0.71
7	4.36	1.39	0.74
7.2	4.50	1.44	0.76
7.4	4.63	1.50	0.79
7.6	4.77	1.55	0.82
7.8	4.90	1.60	0.85
8	5.04	1.65	0.88
8.2	5.18	1.70	0.91
8.4	5.31	1.75	0.94
8.6	5.45	1.81	0.97
8.8	5.59	1.86	1.00
9	5.72	1.91	1.03
9.2	5.86	1.96	1.07
9.4	6.00	2.02	1.10
9.6	6.14	2.07	1.13
9.8	6.28	2.13	1.16
10	6.41	2.18	1.19
10.5	6.76	2.32	1.27
11	7.11	2.46	1.36
11.5	7.46	2.60	1.44
12	7.81	2.74	1.53
12.5	8.17	2.89	1.61
13	8.52	3.03	1.70
13.5	8.87	3.18	1.79
14	9.23	3.33	1.88

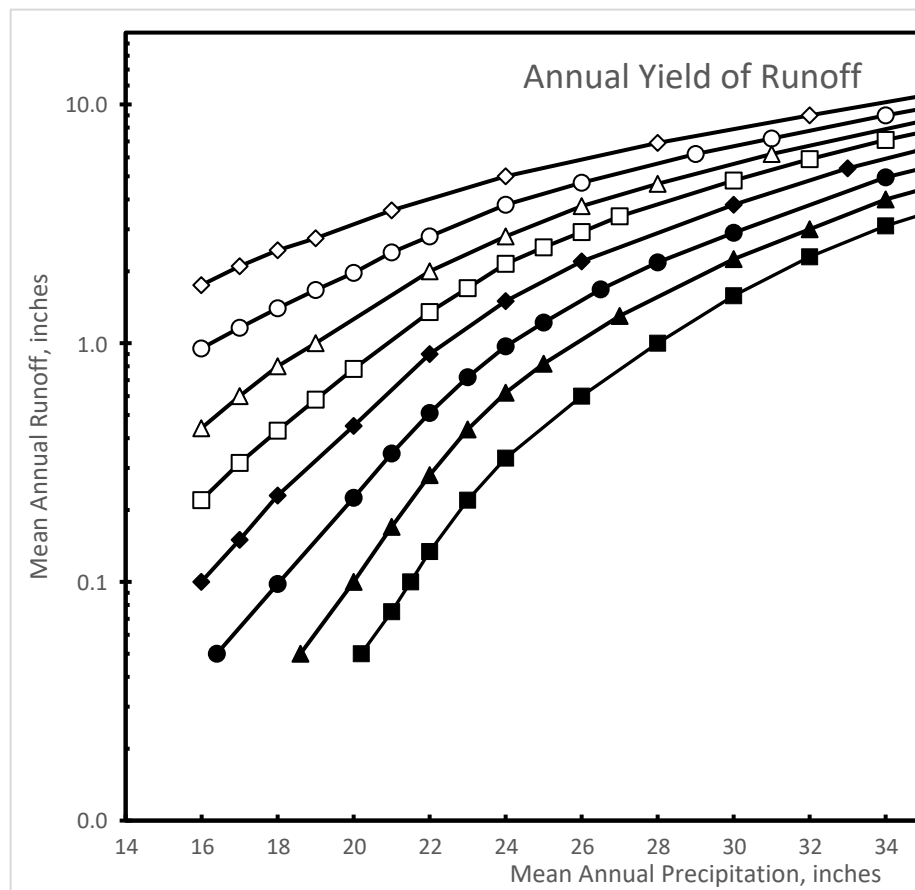


off

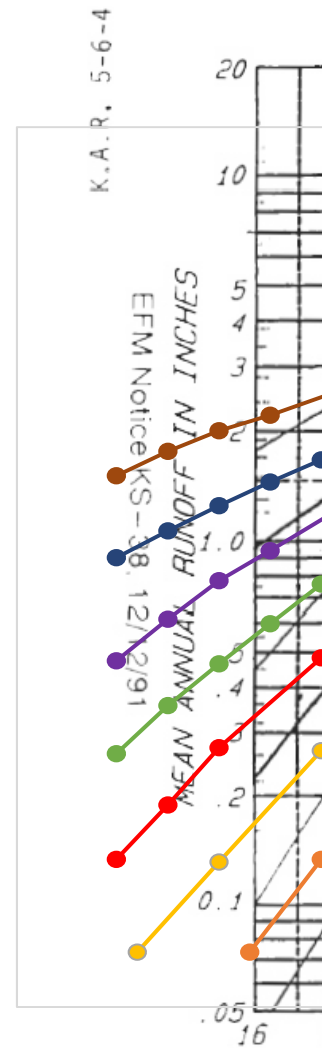
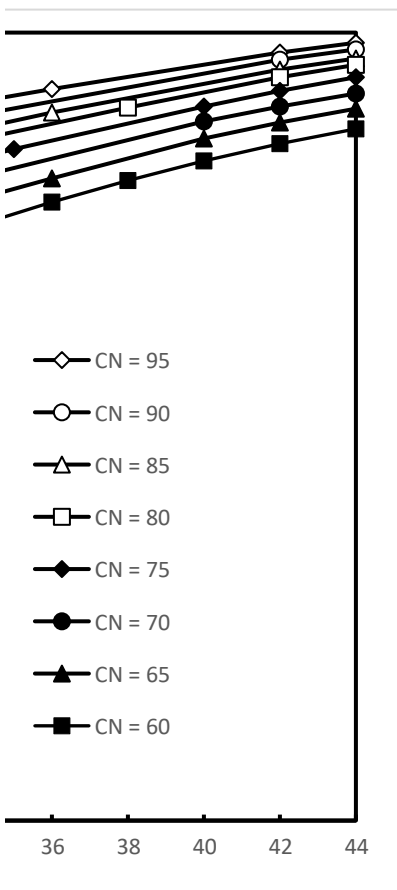


CN

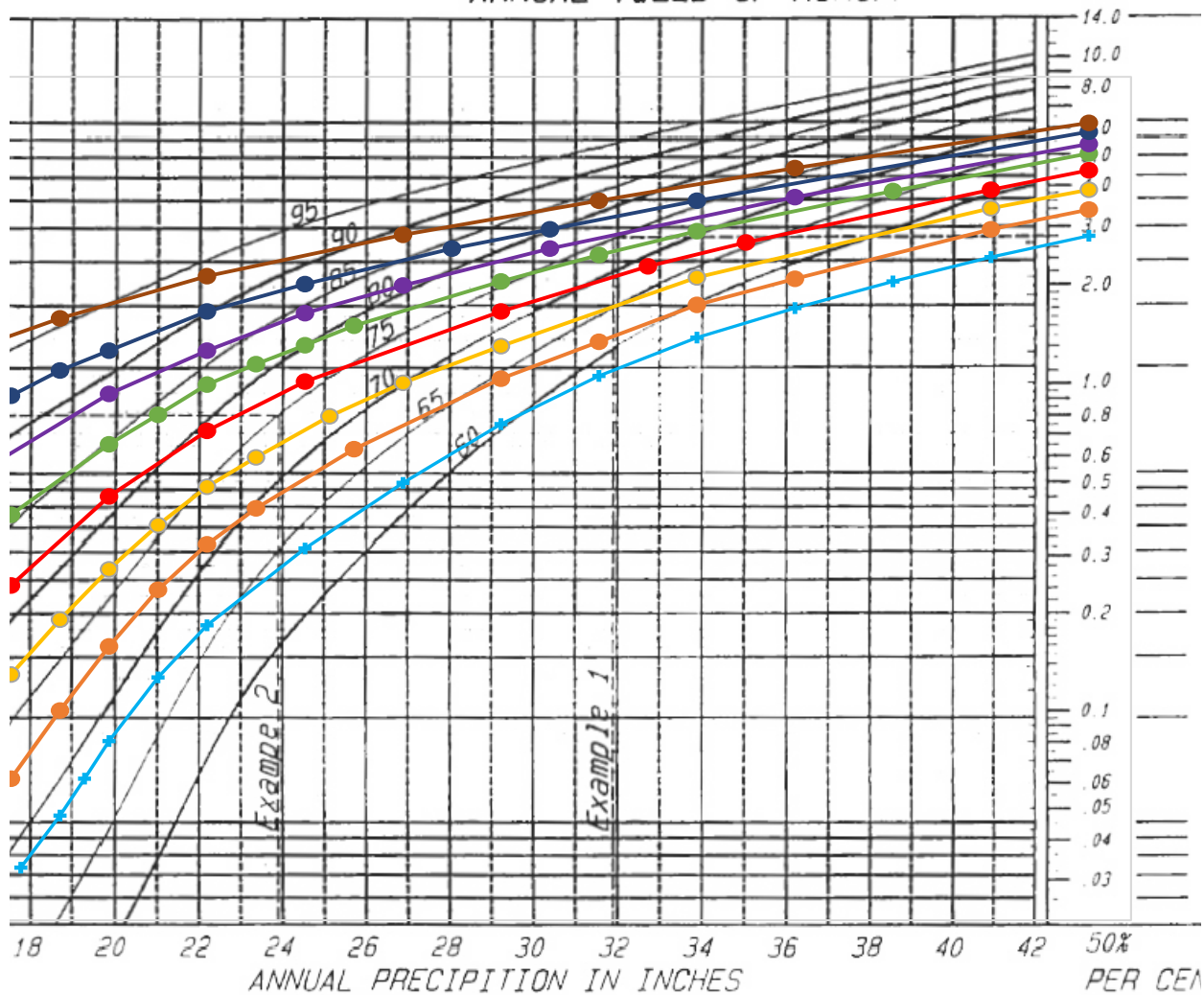
60		65		70		75		80	
20	0.1	19	0.1	16	0.1	16	0.1	16	0.2
21	0.1	20	0.1	18	0.1	17	0.2	17	0.3
22	0.1	21	0.2	20	0.2	18	0.2	18	0.4
22	0.1	22	0.3	21	0.3	20	0.5	19	0.6
23	0.2	23	0.4	22	0.5	22	0.9	20	0.8
24	0.3	24	0.6	23	0.7	24	1.5	22	1.4
26	0.6	25	0.8	24	1.0	26	2.2	23	1.7
28	1.0	27	1.3	25	1.2	30	3.8	24	2.2
30	1.6	30	2.3	27	1.7	33	5.4	25	2.5
32	2.3	32	3.0	28	2.2	35	6.5	26	2.9
34	3.1	34	4.0	30	2.9	40	9.8	27	3.4
36	3.9	36	4.9	34	5.0	42	11.4	30	4.8
38	4.8	40	7.2	40	8.5	44	13.0	32	5.9
40	5.8	42	8.4	42	9.8			34	7.1
42	6.9	44	9.6	44	11.1			38	9.7
44	7.9							42	13.0
								44	14.7



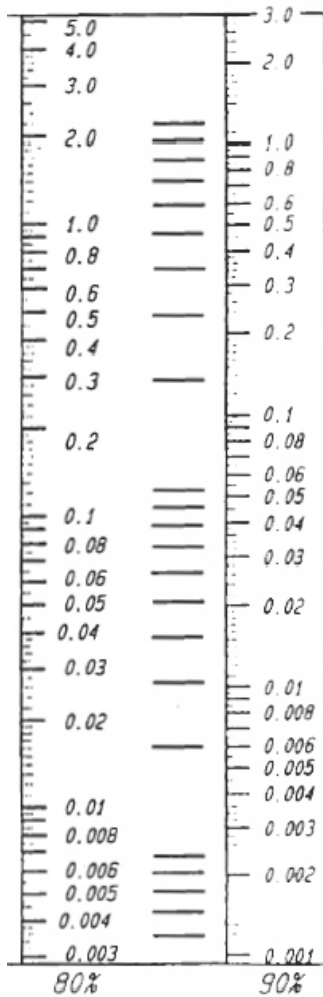
85		90		95	
16	0.4	16	1.0	16	1.8
17	0.6	17	1.2	17	2.1
18	0.8	18	1.4	18	2.5
19	1.0	19	1.7	19	2.8
22	2.0	20	2.0	21	3.6
24	2.8	21	2.4	24	5.0
26	3.8	22	2.8	28	6.9
28	4.7	24	3.8	32	9.0
31	6.2	26	4.7	36	11.6
36	9.3	29	6.2	42	16.5
42	14.0	31	7.2	44	18.1
44	15.6	34	9.0		
		42	15.4		
		44	17.0		



ANNUAL YIELD OF RUNOFF



United States department of agriculture, natural resources conservation service, engineering handbook series, part 650, engineering field handbook.



RUNOFF IN INCHES

K5-2-36

VT CHANCE FIRM

nation

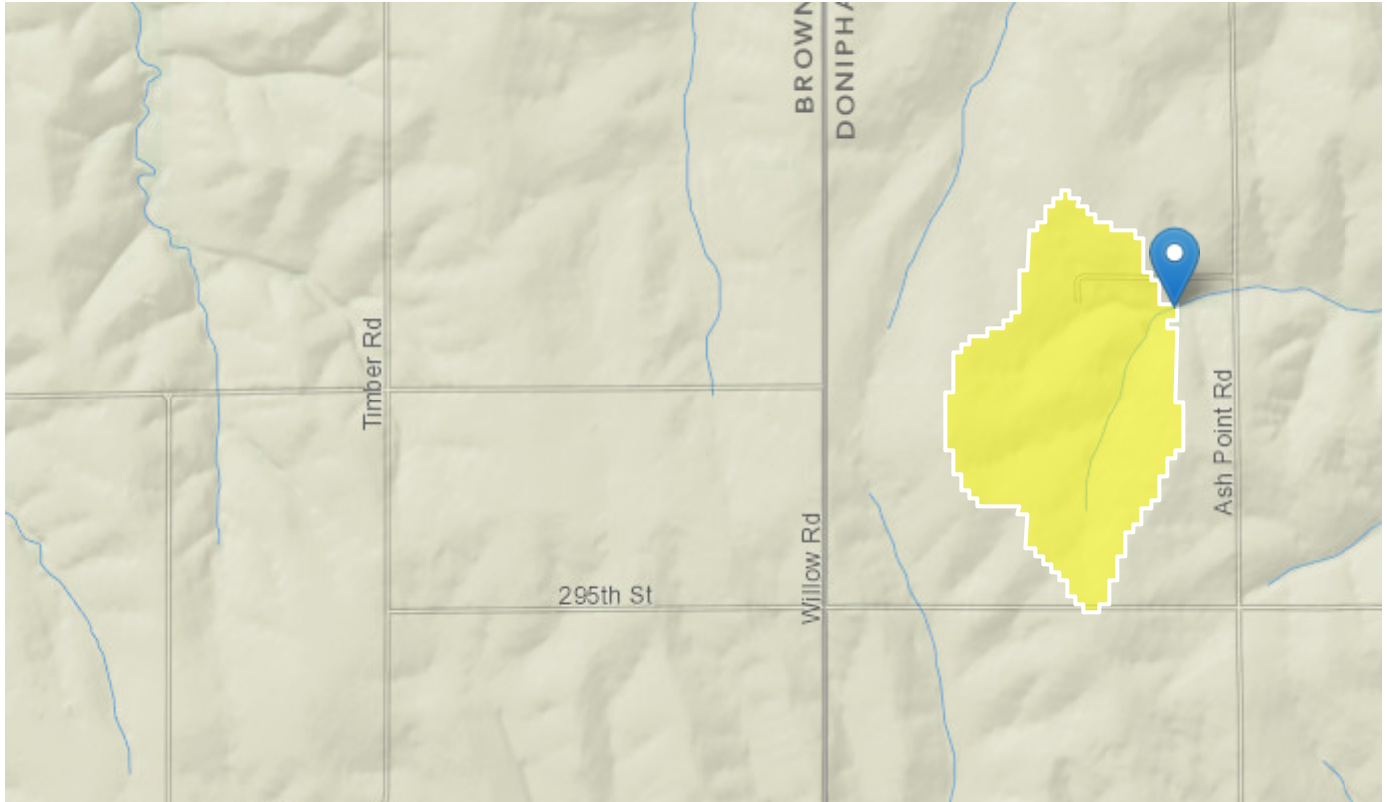
StreamStats Report

Region ID: KS

Workspace ID: KS20220118165012642000

Clicked Point (Latitude, Longitude): 39.94642, -95.32471

Time: 2022-01-18 10:50:32 -0600



Basin Characteristics

Parameter Code	Parameter Description	Value	Unit
CONTDA	Area that contributes flow to a point on a stream	0.32	square miles

USGS Data Disclaimer: Unless otherwise stated, all data, metadata and related materials are considered to satisfy the quality standards relative to the purpose for which the data were collected. Although these data and associated metadata have been reviewed for accuracy and completeness and approved for release by the U.S. Geological Survey (USGS), no warranty expressed or implied is made regarding the display or utility of the data for other purposes, nor on all computer systems, nor shall the act of distribution constitute any such warranty.

USGS Software Disclaimer: This software has been approved for release by the U.S. Geological Survey (USGS). Although the software has been subjected to rigorous review, the USGS reserves the right to update the software as needed pursuant to further analysis and review. No warranty, expressed or implied, is made by the USGS or the U.S. Government as to the functionality of the software and related material nor shall the fact of release constitute any such warranty. Furthermore, the software is released on condition that neither the USGS nor the U.S. Government shall be held liable for any damages resulting from its authorized or unauthorized use.

USGS Product Names Disclaimer: Any use of trade, firm, or product names is for descriptive purposes only and does not imply endorsement by the U.S. Government.

Application Version: 4.6.2

StreamStats Services Version: 1.2.22

NSS Services Version: 2.1.2

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. 50,562** of the applicant

MKM LLC
Attn: KEN MCCAULEY
2325 ASHPOINT RD
WHITE CLOUD, KS 66094

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 30, 2021**.
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				
19	1S	19E			40	40												40	40	40	40	240
30	1S	19E		40	40																	80
25	1S	18E	40	40	40	40																160

3. That the appropriation sought shall be limited to all natural flows of an unnamed tributary to Cedar Creek, designated in the office of the Chief Engineer as Cedar Creek Trib 1A (Missouri), not needed to satisfy all vested rights and prior appropriation rights to be incrementally accumulated as reservoir storage space becomes available to a maximum extent of **298 acre-feet** per calendar year in one (1) reservoir created by a dam located in the Northwest Quarter of the Southeast Quarter of the Southeast Quarter (NW¼ SE¼ SE¼) of Section 19, more particularly described as being near a point 910 feet North and 715 feet West of the Southeast corner of said section, in Township 1 South, Range 19 East, Doniphan County, Kansas, to provide **298 acre-feet** of water as needed for direct irrigation use to be withdrawn, released or otherwise diverted from the reservoir at a re-diversion rate of approximately **1,400 gallons per minute (3.12 c.f.s.)**. A reasonable maximum re-diversion rate will be established during the perfection period and assigned at certification.

4. 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, which is currently \$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, which is currently \$100.00.

5. 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, which is currently \$100.00.

6. 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.

7. 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.

8. 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.

9. 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.

10. That all re-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 re-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.

11. That an acceptable water flow meter shall be installed and maintained on the re-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).

12. 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.

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

14. 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.

15. 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.

Ordered this 31 day of May, 2022, in Manhattan, Riley County, Kansas.

Lane P. Letourneau

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

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 31 day of May, 2022, 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

MKM LLC
Attn: KEN MCCAULEY
2325 ASHPOINT RD
WHITE CLOUD, KS 66094

June 14, 2022

RE: Appropriation of Water, File No.
50,562

Dear Sir or Madam:

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

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 and Change Unit Supervisor
Division of Water Resources

KAB:bmm
Enclosure(s)
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.

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.

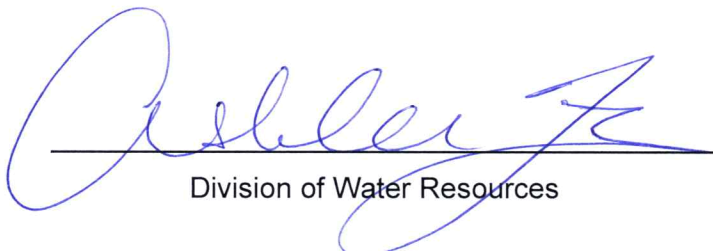
If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

CERTIFICATE OF SERVICE

On this 14 day of June, 2022, I hereby certify that the foregoing Approval of Application, File No. 50,562, dated 31 May 2022 was mailed postage prepaid, first class, US mail to the following:

MKM LLC
Attn: KEN MCCAULEY
2325 ASHPOINT RD
WHITE CLOUD, KS 66094
With photocopies to:

Topeka Field Office



Division of Water Resources