

Kansas Department of Agriculture
 Division of Water Resources
DISMISSAL OF APPROPRIATION WORKSHEET

1. File Number: <p style="text-align: center; font-size: 1.2em;">47,597</p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em;">9/2/2016</p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;">2</p>	4. GMD:
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5. Status: Approved Denied by DWR/GMD Dismiss by Request

6. Enclosures: Check Valve N of C Form Water Tube Driller Copy Meter

7a. Applicant(s) Person ID **61272**
 New to system Add Seq# **1**

WELDON & MELVA KOEHN
 2486 DAKOTA RD
 CANTON KS 67428

7b. Landowner(s) Person ID **61273**
 New to system Add Seq# **1**

ROBERT & CONNIE JANTZ
 2175 CHEYENNE RD
 MOUNDRIDGE KS 67107

7c. Landowner(s) Person ID **61272**
 New to system Add Seq# **1**

WELDON & MELVA KOEHN
 2486 DAKOTA RD
 CANTON KS 67428

7d. Misc. Person ID _____
 New to system Add Seq# _____

8. WUR Correspondent Person ID **61272**
 New to system Add Seq# **1**
 Overlap File (s) WUC Notarized WUC Form
 Agree Yes No

WELDON & MELVA KOEHN
 2486 DAKOTA RD
 CANTON KS 67428

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: _____ 11. Perfection Date: _____ 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: _____ Date WLMD Installed: _____

Date Prepared: **8/5/2016** By: **AM**
 Date Entered: **9/16/2016** By: **LLM**

File No. **47,597** 15. Formation Code: Drainage Basin: **LITTLE ARK RIVER** County: **MP** Special Use: Stream:

16. Points of Diversion											
T	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W

17. Rate and Quantity				
Authorized			Additional	
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files

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 _____ Date Acceptable Meter Installed _____

21. Place of Use	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files				
	T	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
DEL 61397																								
DEL 61398																								

Comments: **File No. 47,597 to be dismissed in conjunction with Approval of New App. File No. 49,632**

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
M E M O R A N D U M

TO: Files

DATE: July 25, 2016

FROM: Austin McColloch

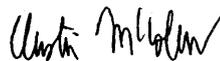
RE: Appropriation of Water,
File Nos. 47,597

On May 5, 2016 and May 23, 2016, a Voluntary Dismissal form was received for Appropriation of Water, File No. 47,597, signed by Weldon & Melva Koehn and Robert & Connie Jantz.

The appropriation of water was approved on December 29, 2010. On April 5, 2016, a filed investigation conducted by personnel from this office in regard to the irrigation wells authorized under the referenced file number. The permit authorizes a battery of four (4) wells with a geographic center located 1,320 feet north and 3,695 feet west of the Southeast corner of Section 34, Township 20 South, Range 2 West, McPherson County, Kansas. The actual geographic center, through GPS measuring, was found to be 1,432 feet north and 4,054 feet west of the southeast corner of the referenced section. The actual completed geographic center is 376 feet from the authorized point of diversion. Due to this finding, the division does not consider the present wells to be the authorized point of diversion and finds them illegal diversions.

The owners of Appropriation of Water, File No. 47,597 have submitted the voluntary dismissal for the referenced file along with a new application with the correct point of diversion locations, assigned File No. 49,632.

The enclosed Findings and Orders have been made for the dismissal of the referenced appropriation of water.



Austin McColloch
Environmental Scientist

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

September 6, 2016

WELDON & MELVA KOEHN
2486 DAKOTA RD
CANTON KS 67428

FILE COPY

RE: Dismissal of Appropriation of Water
File No. 47,597

Dear Mr. or Mrs. Koehn:

Reference is made to Appropriation of Water, File No. 47,597, authorizing water to be diverted for irrigation use.

In the voluntary dismissal received on May 5, 2016, you advised the Chief Engineer that you request the referenced file be dismissed and its priority forfeited.

According to State Law (K.S.A. 82a-718), a hearing must be held before any appropriation right is declared abandoned. The voluntary dismissal of File No. 47,597, is considered a waiver of any such hearing. Therefore, the appropriation right is dismissed as of the date of the enclosed order.

If you have any questions, please contact our office at (785) 564-6640. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Brent A. Turney".

Brent A. Turney, P.G.
Water Appropriation Program
Division of Water Resources

BAT:am

Enclosure(s)

pc: Stafford Field Office
Robert & Connie Jantz



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**DISMISSAL OF APPROPRIATION OF WATER
FILE NO. 47,597**

This is to certify that on May 5, 2016, a voluntary request to dismiss Appropriation of Water, File No. 47,597, was filed with the office of the Chief Engineer by the following permit holder(s):

WELDON & MELVA KOEHN
2486 DAKOTA RD
CANTON KS 67428

Per this request, those above have agreed to waive any and all rights that they might have to a hearing pursuant to K.S.A. 82a-718 or any other applicable statute.

The Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, acknowledges this request, and so orders the dismissal of Appropriation of Water, File No. 47,597, and forfeiture of its priority. The dismissed file pertains to the point(s) of diversion and place(s) of use described as:

a battery of four (4) wells with a geographic center located Near Center of the West-half of the East-half of the Southwest Quarter (W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$) of Section 34, more particularly described as being near a point 1,320 feet North and 3,695 feet West of the Southeast corner of said section, in Township 20 South, Range 2 West, McPherson County, Kansas for irrigation use on the following described property:

Sec.	Twp.	Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL ACRES
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
34	20S	2W																	125

Any further diversion of water pursuant to the conditions and terms of the dismissed file shall be unlawful and subject to the penalties of K.S.A. 82a-728 and K.S.A. 82a-737.

49,632

VOLUNTARY WAIVER OF HEARING & DISMISSAL OF WATER RIGHT

To: Kansas Department of Agriculture
Division of Water Resources (DWR)
1320 Research Park Drive
Manhattan, Kansas 66502
<http://agriculture.ks.gov/dwr>

Re: Appropriation of Water
Water Right
Vested Right
Term Permit
(Check Appropriate Box Above)
File No. 47597

The undersigned owner(s) and/or authorized agent(s) of the above referenced water right, or permit, freely and voluntarily request that the file be dismissed and its priority forfeited. By signing this waiver, I am indicating my understanding and agreement that I am relinquishing all right, title and interest in said water right.

The signature(s) below represent all present owners (or an authorized agent) for the file number shown above (attach duplicate copies of this document as necessary).

The signature(s) below also indicate(s) a waiver of any right to a hearing or an appeal that I/we may have had regarding the dismissal and termination of the above referenced file. I/we recognize that if this closure request is submitted to the Division of Water Resources, it will terminate this water right and forfeit any priority associated with it forever.

Contingent on the approval of a replacement new application
Indicate here if you wish to retain the well(s) for domestic use (DWR water right not required):

X Weldon Koehn
(Signature of Owner or Authorized Agent)

will send soon
(Signature of Spouse or Title of Authorized Agent)

Weldon Koehn
(Please print name here)

(Please print name here)

2486 Dakota Rd
(Mailing Address)

(Mailing Address)

Canton KS 67428
(City, State, Zip)

(City, State, Zip)

ACKNOWLEDGMENT

State of Kansas
County of Stafford

This instrument was acknowledged before me this 29th day of April, 2016 by
(owners:) Weldon Koehn

(Seal) 

[Signature]
Notary Public

My appointment expires: 10/12/17

WATER RESOURCES RECEIVED EFJ
DWR Initials

MAY 23 2016

VOLUNTARY WAIVER OF HEARING & DISMISSAL OF WATER RIGHT

KS DEPT OF AGRICULTURE

To: Kansas Department of Agriculture
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** Contingent upon approval of replacement new application.*
Indicate here if you wish to retain the well(s) for domestic use (DWR water right not required):

(Signature of Owner or Authorized Agent)

Melva Koehn
(Signature of Spouse or Title of Authorized Agent)

(Please print name here)

Melva Koehn
(Please print name here)

(Mailing Address)

2486 Dakota Rd.
(Mailing Address)

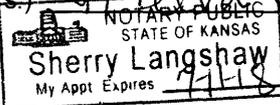
(City, State, Zip)

Canton, Ks. 67428
(City, State, Zip)

ACKNOWLEDGMENT

State of Kansas
County of McPherson

This instrument was acknowledged before me this 17th day of May, 2016 by
(owners:) Melva Koehn

(Seal) 

Sherry Langshaw
Notary Public

My appointment expires: 7-11-2018

ERT
DWR Initials

49,632

VOLUNTARY WAIVER OF HEARING & DISMISSAL OF WATER RIGHT

To: Kansas Department of Agriculture
Division of Water Resources (DWR)
1320 Research Park Drive
Manhattan, Kansas 66502
<http://agriculture.ks.gov/dwr>

Re: Appropriation of Water
Water Right
Vested Right
Term Permit
(Check Appropriate Box Above)
File No. 47597

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Contingent on the approval of a replacement new application
Indicate here if you wish to retain the well(s) for domestic use (DWR water right not required):

Robert C. Jantz
(Signature of Owner or Authorized Agent)
Robert C. Jantz
(Please print name here)
2175 Cheyenne Rd.
(Mailing Address)
Moundridge, Ks. 67107
(City, State, Zip)

Connie Jantz
(Signature of Spouse or Title of Authorized Agent)
Connie Jantz
(Please print name here)
2175 Cheyenne Rd.
(Mailing Address)
Moundridge, Ks. 67107
(City, State, Zip)

WATER RESOURCES
RECEIVED
MAY 05 2016

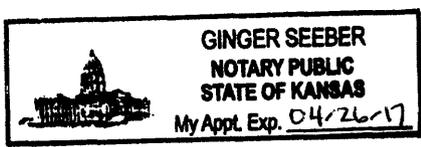
ACKNOWLEDGMENT

State of Kansas)
County of McPherson)

KS DEPT OF AGRICULTURE

This instrument was acknowledged before me this 18th day of April, 2016 by
(owners:) Robert Jantz and Connie Jantz
(Seal)

My appointment expires:
04/26/17



[Signature]
Notary Public
RECEIVED
SCANNED
APR 21 2016
DWR Initials ESJ