

File No(s) **49,196**

11. Points of Diversion

T
MOD
DEL PDIV Qualifier S T R ID 'N 'W
ENT

DEL 20529

12. Rate and Quantity

Authorized Additional
Rate gpm/cfs Quantity af/mgy Rate gpm/cfs Quantity af/mgy Overlap PD Files

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. Place of Use

T
MOD
DEL PUSE S T R ID
ENT

NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	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				

DEL 4732

DEL 66527

16. Comments: **Voluntary Dismissal**

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
MEMORANDUM

TO: Files

DATE: June 7, 2016

FROM: Austin McColloch

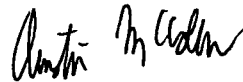
RE: Appropriation of Water, File No. 49,196

An Application for Permit to Appropriate Water for Beneficial Use was received in the Office of the Chief Engineer on December 1, 2014 submitted by Grant County Cemetery. The application was approved on April 9, 2015, authorizing the use of 15 acre-feet for irrigation use on the cemetery grounds.

On June 6, 2016 in a letter addressed to the Office of the Chief Engineer, the owner of Water Appropriation File No. 49,196 filed a request for a voluntary dismissal of the referenced file. 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.

This dismissal will open the area to exceptional appropriation (15 acre-feet or less of water in a ½ mile) for Application for Permit to Appropriate Water for Beneficial Use, File No. 49,520, held by Grant County Cemetery.

Based on the available information, it is recommended that the file be dismissed as requested by the owner.



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

July 21, 2016

FILE COPY

GRANT COUNTY CEMETERY DISTRICT
108 S GLENN
ULYSSES KS 67880

RE: Dismissal of Appropriation of Water
File No. 49,196

Dear Sir or Madam:

Reference is made to Appropriation of Water, File No. 49,196, authorizing water to be diverted for irrigation use.

In the voluntary dismissal received on June 6, 2016, you advised the Chief Engineer that this proposed appropriation has been abandoned and requested that it 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 June 6, 2016, 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) 564-6645. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Brent A. Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT:am

Enclosure(s)

pc: Garden City Field Office
Ground Water Management District No. 3

THE STATE OF KANSAS



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. 49,196

This is to certify that on June 6, 2016, a voluntary request to dismiss Appropriation of Water, File No. 49,196, was filed with the office of the Chief Engineer by the following permit holder(s):

GRANT COUNTY CEMETERY DISTRICT
108 S GLENN
ULYSSES KS 67880

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. 49,196, and forfeiture of its priority. The dismissed file pertains to the point(s) of diversion and place(s) of use described as:

one (1) well located in the Northeast Quarter of the Southeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 36, more particularly described as being near a point 825 feet North and 610 feet West of the Southeast corner of said section, in Township 28 South, Range 37 West, Grant 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 $\frac{1}{4}$	
36	28S	37W															20.0	20.00	
1	29S	37W	18.9															18.90	

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.

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>

WATER RESOURCES
RECEIVED

JUN 06 2016

KS DEPT OF AGRICULTURE

Re: Appropriation of Water
Water Right
Vested Right
Term Permit
(Check Appropriate Box Above)
File No. 49,196

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.

Indicate here if you wish to retain the well(s) for domestic use (DWR water right not required):

Paula Shapland
(Signature of Owner or Authorized Agent)

(Signature of Spouse or Title of Authorized Agent)

Paula Shapland
(Please print name here)

(Please print name here)

108 S. Glenn
(Mailing Address)

(Mailing Address)

Wesley KS 67880
(City, State, Zip)

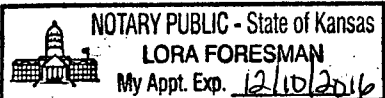
(City, State, Zip)

620-356-1335

ACKNOWLEDGMENT

State of Kansas)
County of GT)

This instrument was acknowledged before me this 2 day of June, 2016 by
(owners:) Paula Shapland for Great County Cemetery

(Seal) 

Lora Foresman
Notary Public

My appointment expires: 12/10/2016

BAT:am
DWR Initials

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

May 25, 2016

GRANT COUNTY CEMETERY DISTRICT
108 S GLENN
ULYSSES KS 67880

RE: Appropriation of Water, File No. 49,196

Dear Sir or Madam:

Please find enclosed the original voluntary dismissal of an application for permit to appropriate water under the referenced file number which was received in this office on December 4, 2015. It appears that this is the wrong form for submitting a voluntary dismissal of the referenced file as it is already an appropriation of water and no longer an application.

Please find enclosed a form to request a voluntary waiver of hearing and dismissal of appropriation of water for File No. 49,196. The form should be signed by an authorized agent and notarized. Please return the signed dismissal form to my attention at the address listed above at your earliest convenience so that we may dismiss the referenced appropriation of water file.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready to that we may help you more efficiently.

Sincerely,

Brent A. Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT:am
Enclosures

pc: Garden City Field Office
Groundwater Management District No. 3