

Kansas Department of Agriculture
Division of Water Resources
MISCELLANEOUS WORKSHEET ORDER DISMISSAL OF TERM PERMIT

1. File No(s). 20179049	1a. <input type="checkbox"/> Vested Right <input type="checkbox"/> Water Right <input checked="" type="checkbox"/> Appropriation of Water	1b. Document Date: 2/23/2022	2. Field Office: 02
3. GMD:			

4. Type and Purpose of Letter

Type of Extension _____ Completion Date _____

Date Received _____ Perfection Date _____

Completion of Diversion Works: Permit Change Approval

Meter Installed _____

Dismissal **VOLUNTARY DISMISSAL REQUEST RECEIVED AUGUST 15, 2018**

Other _____

5a. Name & Address _____ Person ID 12492 CITY OF MULVANE Attn: UTILITY DEPARTMENT 211 N 2ND AVE MULVANE, KS 67110 _____	5b. Name & Address _____ Person ID _____ _____ _____ _____
5c. Name & Address _____ Person ID 12492 CITY OF MULVANE Attn: UTILITY DEPARTMENT 211 N 2ND AVE MULVANE, KS 67110 _____	5d. Name & Address _____ Person ID _____ _____ _____ _____

6. General Information Priority Date 8/1/2017 ORDER Date _____ Vested Right Order Date _____ Approval Date _____ Priority Date of Change _____ Approval of Change Date _____ Completion Date _____ Perfection Date _____	7. Use of Water: <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water <input type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input checked="" 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: _____
8. Battery Number _____	
9. Special Use _____	
10. Aquifer _____	

Date Prepared: 2/14/2022 By: LI Date Entered: 2/28/2022 By: LMoody

(see reverse for p/d and p/u)

File No(s). **20179049**

11. Points of Diversion										12. Rate and Quantity						
T	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized		Additional		
												Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	Overlap PD Files
	DEL	4002			SW SW SW	36	29	1E	4	110	4916	500	205.43 mgy	0	0	31869 ID4 & 49883

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: _____

15. Place of Use							NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	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	SE ¼									
	DEL	33544			6	30	2E	1	CITY OF MULVANE & IMMEDIATE VICINITY; 3 HOUSEHOLDS (W2 SW) OF 36-29-1E																	5c	NO	SU 002; 2724;	31869 49869 & 49877

16. Comments: **THIS IS BEING DISMISSED AS PERMITS WILL BE ISSUED.**

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

MEMORANDUM

TO: Files

DATE: December 7, 2021

FROM: Leslie Ireland

RE: Application for Term Permit
File Nos. 20179049 & 20179050

On August 1, 2017, applications were filed by Shelly Steadman on behalf of the City of Mulvane for existing two wells under File No. 31,869, located in the Southwest Quarter of the Southwest (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 36, Township 29 South, Range 1 East, Sedgwick County, Kansas.

The voluntary dismissals were received on August 20, 2018.

It was determined the term permits were not needed for the City due to the filing of new applications under File Nos. 49,877 & 49,883. They were contingent upon the approval of the new permits which will be part of the package of files. If the new applications are approved, the term applications should be dismissed.

Based on the above discussion it is recommended that the applications filed on August 1, 2017, be dismissed. A Findings and Order has been prepared to dismiss the applications and should be processed with the permitting of File Nos. 49,877 & 49,883.



Leslie Ireland
Environmental Scientist
Water Appropriation Program

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

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

FINDINGS AND ORDER
IN THE MATTER OF THE
DISMISSAL OF TERM PERMIT
FILE NO. 20179049

After due consideration, the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture (hereinafter referred to as the "Chief Engineer"), makes the following findings and order:

FINDINGS

- 1. That on August 1, 2017, the Chief Engineer received an application for Term Permit to appropriate water for beneficial use, which was assigned File No. 20179049, authorizing the appropriation of 205.430 million gallons (630.44 acre-feet) of groundwater, at a diversion rate of 500 gallons per minute, for municipal use by the City of Mulvane.
2. That in a Voluntary Waiver of Hearing and Dismissal of Water Right form dated August 15, 2018, the water right owner requested to voluntarily dismiss Term Permit, File No. 20179049.
3. That the purpose of the term permit was to provide water from existing wells while change applications were processed, but the diversion will be provided by new appropriations, File Nos. 49,877 and 49,883, that appear to be complete and permits may be issued.
4. That Term Permit, File No. 20179049 should be dismissed, and its priority forfeited.

ORDER

NOW, THEREFORE, It is the decision and order of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, that effective the date of this order, in accordance with the law, Term Permit, File No. 20179049, is herewith dismissed and the priority assigned to it is considered to be forfeited.

Ordered this 23 day of February, 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)
County of Riley) SS

The foregoing instrument was acknowledged before me this 23 day of February 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

March 2, 2022

CITY OF MULVANE
SHELLY STEADMAN AND/OR KENT HIXSON
211 N 2ND AVE
MULVANE, KS 67110

RE: Dismissal of Term Permit, File Nos. 20179049 & 20179050

Dear Sir or Madam:

There are enclosed the Orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing the referenced permits as requested in the "Voluntary Waiver of Hearing & Dismissal of Water Right" form received in the office of the Chief Engineer on August 15, 2018. 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 the referenced permits, signed by you, is considered a waiver of any such hearing. Therefore, Term Permit, File Nos. 20179049 & 20179050 are dismissed as of the date of the enclosed orders.

These orders are a final agency action. If you choose to appeal said decision of any finding or part thereof, you must do so by filing a petition for review in the manner described in the enclosed orders.

Thank you for your consideration in this matter. If you have any questions, please contact our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum
New Application and Change Unit Supervisor
Water Appropriation Program

KAB: kjn: li
Enclosure

pc: Stafford Field Office

**RIGHT TO PETITION FOR REVIEW
UNDER THE KANSAS JUDICIAL REVIEW ACT**

This is a final agency action as defined in K.S.A. 77-607(b). You may pursue judicial review of this Order as provided in the Kansas Judicial Review Act, K.S.A. 77-601 et seq. A petition for judicial review must be filed in a Kansas court of competent jurisdiction within 30 days after service of this Order as provided in K.S.A. 77-613. The agency officer designated to receive service of a petition for judicial review on behalf of the Kansas Department of Agriculture is the Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Dr. Manhattan, KS 66502.


CERTIFICATE OF SERVICE

On this 12 day of March, 2022, I hereby certify that the foregoing Findings and Order, Term Permit, File No. 20179049, dated 23 February 2022 was mailed postage prepaid, first class, US mail to the following:

CITY OF MULVANE
SHELLY STEADMAN AND/OR KENT HIXSON
211 N 2ND AVE
MULVANE KS 67110

With photocopies to:

Stafford Field Office



Division of Water Resources