Kansas Department of Agriculture FINDINGS & ORDER Division of Water Resources CLOSURE OF NEW APPLICATION WORKSHEET

1. File Number:	50,075		2. Status 4/5/202	Change Date: <mark>21</mark>	3. Field Office: 02		4. GMD:					
5. Status:		Denied by D	Dismiss by Request/Failure to Return									
6. Enclosures:	Check Valve	□ N of C Form		ater Tube	Driller Copy		<i>l</i> eter					
7a. Applicant(s New to syst		Person ID <u>51</u> Add Seq#	900	7c. Landowne New to sy			Person ID Add Seq#					
RITCHIE P.O. BO	DF THE SOUTHW E ADDISON X 663 IGTON, KS 67152											
7b. Landowner New to sys		Person ID Add Seq#		7d. Misc. New to sy	stem 🗌		Person ID Add Seq#					
8. WUR Corre New to sys Overlap File	tem 🗌	Person ID Add Seq# Notarized WUC	Form 🗌	9. Use of Wat	er: Changing? ⊠ Groundwater	□ Y □ S	′es ⊠ Surface Wate					
Agree							DEW					
				□ STK □ HYD DRG	SED		OOM					
10. Completion	Date:	11. Perfe	ection Date:		12. Ex	p Date:	:					
13. Conservatio	n Plan Required? 🗌 Ye	es 🗌 No Date Requ	uired:	Date Ap	proved:	_ Date	e to Comply:					
14. Water Level Measuring Device? Yes No Date to Comply: Date WLMD Installed:												
					Date Prepared: 2/1 Date Entered: LMoo	021	Ву: МЈ Ву:	M				
DWR 1-660 (Revi	sed 09/19/2008)				3/8/202 Lirelan		3/26/2021 KAB					

File No.	50075		15. Formation Code: Drainage Basin:								County: Special U				Use: Stream:											
16. Points of Diversion T MOD							17. Rate and Quantity Authorized Additional																			
DEL ENT	PDIV	Qualif	ier	S	Т	-	R		ID	'N		ʻ۱	N			ate n/cfs			antity ′mgy		Rate gpm/cf		Quant af/mg		Overlap PD Fil	es
86854																									None	
18. Stora	18. Storage: Rate NF Quantity ac/ft Add								dditior	nal Ra	ie				NF	- Add	itional Qu	uantity _			_ac/ft					
	ation:																									
Limit	ation:			af/yr at					gpm (cfs) w	hen co	ombine	ed with	i file n	umber	(s)							
20. Meter Required? Yes No To be installed by								Date Acceptable Meter Installed																		
21. Place of Use					NE¼			NW ¹ ⁄4					sv	SW¼			SE¼			Total	Owner	(Chg?	Overlap	Files	
MOD DEL ENT	PUSE S	STR		D	NE ¼	NW ¼	SW ¼	SE ¼	NE 1⁄4	NW ¼	SW ¼	SE 1⁄4	NE ¼	NW ¼	SW ¼	SE 1⁄4	NE ¼	NW ¼	SW ¼	SE ¼						Yes
6	8965																					7b			5	0134
Commer	nts: Dismis	sed at	appl	icants	req	ues	t.		<u> </u>		<u> </u>		<u> </u>	<u> </u>	<u> </u>		<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>I</u>				

KANSAS DEPARTMENT OF AGRICULTURE Division of Water Resources

<u>M E M O R A N D U M</u>

TO: Files

DATE: February 19, 2021

FROM: Matt Meier

RE: Application, File No. 50,075

The Triad of the Southwest (Ritchie Addison) has filed the referenced application for a permit to appropriate water for beneficial use, proposing the appropriation of 104 acre-feet of groundwater for irrigation use. The proposed point of diversion was the Geo-Center of a well battery to be located in the Southwest Quarter of the Northeast Quarter of the Southwest Quarter (SW¼ NE¼ SW¼) of Section 15, more particularly described as being near a point 1460 feet North and 3830 feet West of the Southeast corner of said section, in Township 33 South, Range 2 West, Sumner County, Kansas. The applicant has another application for a larger quantity and place of use (File No. 50,134) partially covering the proposed place of use. During a phone call with the applicant on September 17, 2019 the incomplete Place of Use overlap was discussed. Rather than having multiple overlapping files the applicant agreed to dismiss Application File No. 50075. A voluntary dismissal of an application form was mailed to him on September 17, 2019.

On September 24, 2019 a signed "Voluntary Dismissal of an Application for Permit to Appropriate Water" form was received from the applicant. Therefore, Application, File No. 50,075 should be dismissed at the applicant's request.

Matt Meier Environmental Scientist Permits Unit Additoinally the proposed battery of wells is located in an area with thin staturated thickness. er 9/10/2018 letter, li/dwr 3/8/2021



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 VOLUNTARY DISMISSAL OF APPLICATION FILE NO. 50,075

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 June 28, 2018, the Chief Engineer received an application from Ritchie Addison on behalf of the Triad of the Southwest for a permit to appropriate water for beneficial use, assigned File No. 50,075, proposing the appropriation of 104 acre-feet of groundwater for irrigation use from the point of diversion described as a battery of wells with a geographic center proposed in the Southwest Quarter of the Northeast Quarter of the Southwest Quarter (SE¼ NE¼ SW¼) of Section 15, more particularly described as being near a point 1,460 feet North and 3,830 feet West of the Southeast corner of said section, in Township 33 South, Range 2 West, Sumner County, Kansas.
- That on September 17, 2019, a phone conversation was had with the applicant to discuss an incomplete place of use overlap between Application File No. 50,075 and Application File No. 50,134. After going over the options the applicant stated he would be interested in dismissing Application File No. 50,075.
- 3. That on September 17, 2019, a letter and a Voluntary Dismissal of an Application for Permit to Appropriate Water form was mailed to the applicant.
- 4. On September 24, 2019, a signed Voluntary Dismissal of an Application for Permit to Appropriate Water form dated September 20, 2019, was received from the applicant in the Stafford Field Office of the Chief Engineer.
- 5. That the application should be dismissed, and its priority forfeited as requested.

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, Application, File No. 50,075, is herewith dismissed and the priority assigned to it is considered to be forfeited.

Ordered this 5 day of April

, 2021, in Manhattan, Riley County, Kansas.

Sans P. Letourneau

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

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 5 day of April , 2021, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.

ASHLEE FREEMAN My Appointment Expires April 21, 2024

Chille

Notary Public

1320 Research Park Drive Manhattan, KS 66502 785-564-6700 www. agriculture.ks.gov

Mike Beam, Secretary



900 SW Jackson, Room 456 Topeka, KS 66612 785-296-3556

Laura Kelly, Governor

April 5, 2021

RICHARD ADDISON PO BOX 663 WELLINGTON, KS 67152

Re: Application, File Nos. 50,075; 50,087; 50,189 & 50,190

Dear Mr. Addison:

Enclosed are the Findings and Orders by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing the applications for appropriation as requested in the voluntary dismissals received for the referenced files on behalf of the Triad of the Southwest, L & M Farms Incorporated and the Leroy and Madeline Addison Trust.

The orders shall become final agency action without further notice to the parties, if a request for hearing or a petition for administrative review is not filed in a manner set forth in the enclosed orders.

If you have any questions, please contact this office at 785-564-6640. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

KristendBaum

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

KAB:MM:li

Enclosures

pc: Stafford Field Office

RIGHT TO PETITION FOR REVIEW UNDER THE KANSAS JUDICIAL REVIEW ACT

Right to Petition for Administrative Review - If you are aggrieved by this Order, then pursuant to K.S.A 82a-1901(c), 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 the Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, or by FAX (785) 564-6777. If no 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 administrative review may preclude further judicial review under the Kansas Judicial Review Act.

CERTIFICATE OF SERVICE

Application, File No. 50,075, dated 5 April , 2021, I hereby certify that the foregoing Dismissal of , 2021, was mailed postere must be following:

TRIAD OF THE SOUTHWEST **RITCHIE ADDISON PO BOX 663** WELLINGTON, KS 67152

With photocopies to:

Stafford Field Office

Division of Water Resources