

From: Conant, Cameron [KDA]
Sent: Thu 8/1/2024 1:21 PM
To: Dulchinos, Ellie [KDA]
Subject: FW: File Nos. 2065 & 34417-Dismissal of Pending Change Applications
Attachments: David dismissalal.pdf
Categories: Changes

Here you go Ellie, please let me know if you need anything else on this.

Cameron

From: Conant, Cameron [KDA]
Sent: Thursday, August 1, 2024 1:21 PM
To: David Wood <ddwoodfarms@hotmail.com>
Subject: RE: File Nos. 2065 & 34417-Dismissal of Pending Change Applications

Thank you David, I think that works great. I'll pass this along to HQ and they will get the pending application dismissed. Appreciate it,

Cameron

From: David Wood <ddwoodfarms@hotmail.com>
Sent: Thursday, August 1, 2024 1:11 PM
To: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Subject: Re: File Nos. 2065 & 34417-Dismissal of Pending Change Applications

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Sent from my iPhone

On Aug 1, 2024, at 10:33 AM, Conant, Cameron [KDA] <Cameron.Conant@ks.gov> wrote:

Here you go David.

Cameron

From: Conant, Cameron [KDA]
Sent: Monday, July 22, 2024 4:46 PM
To: David Wood <ddwoodfarms@hotmail.com>
Cc: Dulchinos, Ellie [KDA] <Ellie.Dulchinos@ks.gov>
Subject: File Nos. 2065 & 34417-Dismissal of Pending Change Applications

Hello David, Don said he touched base with you today about the rate test for these files but you recently reworked the well and decided you no longer need to do the change.

That is no problem, can you please sign the attached form and email it back to me. This form will dismiss the pending change applications and leave the water rights totally intact and how they have been. Let me know if you have any questions. Thanks,

Cameron R. Conant
Assistant Water Commissioner

Stafford Field Office
(620) 234-5311

<David dismissal.pdf>

**VOLUNTARY DISMISSAL OF AN
APPLICATION FOR CHANGE**

To: Chief Engineer
Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

Re: Appropriation of Water
Water Right
Vested Right
Term Permit

File No. _____

Application to Change: Place of Use Point of Diversion Use Made of Water

Application filed with DWR on: _____
Date

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


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 of the application for change described above. I/we recognize that if this request is submitted to the Division of Water Resources, it will result in the dismissal of this referenced application for change.

Check the following if applicable:

Processing dismissal is contingent upon approval of: _____

New or Change Application, etc., include File No.



Signature of Owner or Authorized Agent

Signature of Spouse or Title of Authorized Agent

Print Name

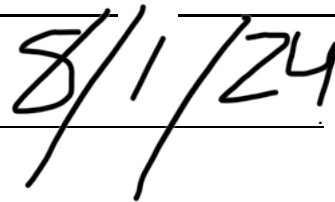
Print Name

Address

Address

City, State, Zip

City, State, Zip

Date: 

DWR Initials

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 AN APPLICATION FOR APPROVAL
TO CHANGE THE AUTHORIZED
POINT OF DIVERSION
WATER RIGHT, FILE NO. 2,065**

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 May 1, 1957, the Chief Engineer, in accordance with K.S.A. 82a-714, issued a Certificate of Appropriation pursuant to Water Right, File No. 2,065, subsequently modified and amended by Orders of the Chief Engineer.
2. That on April 17, 2023, an Application for Approval to Change the Point of Diversion authorized by Water Right, File No. 2,065, was received in the office of the Chief Engineer.
3. That on August 1, 2024, the Chief Engineer received a written request from David Wood, as owner of Water Right, File No. 2,065, requesting that the application described in Finding No. 2 above be dismissed.

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, the Application for Approval to Change the Point of Diversion, under Water Right, File No. 2,065, received in the Office of the Chief Engineer, on April 17, 2023, shall be dismissed and its priority forfeited.

In all other respects, the Certificate of Appropriation for Beneficial Use , issued pursuant to Water Right, File No. 2,065, dated May 1, 1957, remains as modified and amended by Orders of the Chief Engineer.

Ordered this *22* day of *August* , 2024, at Manhattan, Riley County, Kansas.

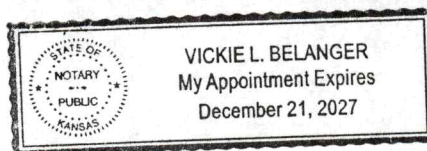
Lane P. Letourneau

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 *22* day of *August* , 2023, by Lane P. Letourneau, P.G. , Water Appropriation Program Manager ,Division of Water Resources, Kansas Department of Agriculture.

Vickie L. Belanger
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

August 26, 2024

DAVID WOOD
1778 280TH AVE
BELPRE KS 67519

RE: Dismissal of Applications

Water Right
File Nos. 2,065 and 34,417

Dear David Wood,

Enclosed are Findings and Orders by the Chief Engineer, which dismiss your pending Applications to Change the Points of Diversion, under the above referenced file numbers.

Since no modifications of the referenced water rights have been ordered by the Chief Engineer, these orders do not need to be recorded with the Register of Deeds.

If you have any questions regarding the enclosed documents, please contact our office at 785-564-6640. For all other inquires, please contact your local Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in blue ink that reads "Kristen A. Baum". The signature is written in a cursive style.

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

KAB:kak:etd

Enclosure(s)

pc: Stafford Field Office
Groundwater Management District No. 5

RIGHT TO PETITION 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: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, 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

On this 26 day of August, 2024, I hereby certify that the attached Findings and Orders in the Matter of the Dismissal of an Application for Approval to Change the Point of Diversion, under Water Right, File Nos. 2,065 and 34,417, dated August 22, 2024, were mailed postage prepaid, first class, US mail to the following:


Original to:

DAVID WOOD
1778 280TH AVE
BELPRE KS 67519

Photocopy to:

KDA-DWR Stafford Field Office

Groundwater Management District No. 5



Division of Water Resources