

File No. 50704	13. County: CL-Cowley Basin: Arkansas River Stream:		
Structures File No:	Aquifer Code:	Special Use Area:	

14. Points of Diversion, Rates & Quantities										Qty		Rate		Storage Qty		Storage Rate	
PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Auth	Add	Auth	Add	Auth	Add	Auth/Add	Overlaps	
CHK	89246	NW SW SE	33	34S	3E	1	953	2315			8192		800			+	
MOD																+	
DEL																#	
ENT																^	
																**	
																++	

15. Limitations	Type:	Quantity:	mg	Rate:	gpm	combined with file no(s):
	Type: Other	Quantity:		Rate:		combined with file no(s):

16. Metering Metering Required Anti-Reverse Required Seal Required Compliance Date:

17. Place of Use						NE¼				NW¼				SW¼				SE¼				Total	Owner(s)	Chg?	Overlaps
PDIV	S	T	R	ID		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
CHK	70697	33	34	3E	1															40	40	80	7a	<input type="checkbox"/>	+
CHK	70698	33	34	3E	2									40	40							80	7a	<input type="checkbox"/>	+
																								<input type="checkbox"/>	#
																								<input type="checkbox"/>	^
																								<input type="checkbox"/>	**
																								<input type="checkbox"/>	++

18. Point of Diversion and Place of Use Overlaps	
*	**
+	++
#	##
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KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: July 1, 2024

FROM: Brandon Milner

RE: Application, File No. 50704

Dennis Shurtz had filed the above referenced application to appropriate groundwater for an application to appropriate water on January 18th, 2022 and was labeled as application no. 50,704.

The applicant was informed that a well drawdown study was needed due to limited saturated thickness at the point of diversion. The applicant had testing done at the site but determined that the site was not satisfactory for irrigation purposes.

A voluntary dismissal of an application for permit to appropriate water was received on June 18th, 2024.

Based on the voluntary dismissal received by the applicant, it is recommended that the file be dismissed.

Brandon Milner
Environmental Scientist
New Applications Unit



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
APPLICATION TO APPROPRIATE WATER FOR BENFICIAL USE
FILE NO. 50,704

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 January 18, 2022, an Application to Appropriate Water for Beneficial Use was received in the office of the Chief Engineer, assigned File No. 50,704, proposing to use water for irrigation use from the following point of diversion:
one (1) well located in the Northwest Quarter Southwest Quarter Southeast Quarter (NW1/4 SW1/4 SE1/4) of Section 33, more particularly described as being near a point 953 feet North and 2,315 feet West of the Southeast corner of said section, in Township 34 South, Range 3 East, Cowley County, Kansas.
2. That on June 18, 2024, the office of the Chief Engineer received a voluntary dismissal form, signed by the applicant, pertaining to File No. 50,704, indicating that all plans to proceed with the proposed appropriation had been abandoned.
3. That Application, File No. 50,704, should be dismissed as requested by the applicant.

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. 50,704, is herewith dismissed and the priority assigned to it is considered to be forfeited.

It is so ordered this 2 day of July, 2024, in Manhattan, Riley County, Kansas.

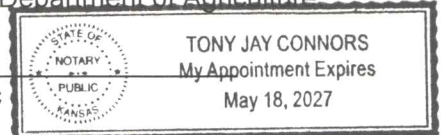
Lane P. Letourneau

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

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 2 day of July, 2024, by Lane P. Letourneau, P.G., Water Appropriation Program Manager, Division of Water Resources, Kansas Department of Agriculture

Tony Connors
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

July 10, 2024

DENNIS SHURTZ
GRAINLAND FARMS INC
2508 EDGEMONT DRIVE STE 4
ARKANSAS CITY KS 67005

Re: Dismissal of Application
File No. 50,704

Dear Mr. Shurtz:

Enclosed is the Findings and Order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application, File No. 50,704, as you had requested in your form letter dated June 18, 2024.

If you have any questions, please contact us at 785-564-6640. Please reference a file number when calling so that we may 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
Enclosures
pc: Stafford Field Office

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 10 day of July, 2024, I hereby certify that the attached Dismissal of Application, File No. 50704, dated July 2, 2024, was mailed postage prepaid, first class, US mail to the following:

Original to:

DENNIS SHURTZ
GRAINLAND FARMS INC
2508 EDGEMONT DRIVE SUITE 4
ARKANSAS CITY KS 67005

Photocopy to:

KDA-DWR Stafford Field Office


Staff