

File No. **48,908** 15. Formation Code: Drainage Basin: County: Special Use: Stream:

16. Points of Diversion											
T	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
DEL				82553							

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

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

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

20. Meter Required? Yes No To be installed by _____ Date Acceptable Meter Installed _____

21. Place of Use T MOD DEL ENT	PUSE	S	T	R	ID	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																									

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: December 22, 2016

FROM: Alex Whitesell

RE: Appropriation of Water,
File No. 48,908

On November 18, 2016, the Division of Water Resources received a Voluntary Waiver of Hearing & Dismissal of Water right from James P. Voss dismissing the above referenced file.

Based on the above discussion and the available information, it is recommended that the referenced Water Right be dismissed.



Alex Whitesell
Environmental Scientist
Water Appropriation Program

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

December 30, 2016

FILE COPY

JIM VOSS
14984 RD E7
ALMENA KS 67622

RE: Dismissal of Appropriation of Water
File No. 48,908

Dear Mr. and Mrs. Gray:

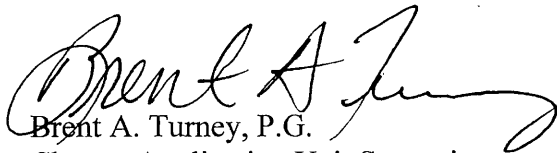
Reference is made to Appropriation of Water, File No. 48,908, authorizing water to be diverted for irrigation use.

In the voluntary dismissal received on November 18, 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 water right is declared abandoned. The voluntary dismissal of November 18, 2016, is considered a waiver of any such hearing. Therefore, the water right is dismissed as of the date of the enclosed order.

If you have any questions, please contact our office at (785) 564-6640. 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:ajw

Enclosure(s)

pc: Stockton Field Office

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. 48,908

This is to certify that on November 18, 2016, a voluntary request to dismiss Appropriation of Water, File No. 48,908, was filed with the office of the Chief Engineer by the following Water Right Owner:

JIM VOSS
14984 RD E7
ALMENA KS 67622

Per this request, the above has 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. 48,694, and forfeiture of its priority. The dismissed file pertains to the point of diversion and place of use described as:

a battery of four (4) wells with a geographic center located in the Southeast Quarter of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 24, more particularly described as being near a point 142 feet North and 2,920 feet West of the Southeast corner of said section, Township 3 South, Range 22 West, Norton County, Kansas for irrigation use at the following described property:

Sec.	Twp.	Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL		
			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 $\frac{1}{4}$			
24	3S	22W											22					11	10		55

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.

This is a final agency action. If you choose to appeal this decision or any finding or part thereof, you must do so by filing a petition for review in the manner prescribed by the Kansas Act for Judicial Review and Civil Enforcement of Agency Actions (KJRA K.S.A. 77-601 et seq.) within 30 days of service of this order. Your appeal must be made with the appropriate district court for the district of Kansas. The Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, is the agency officer who will receive service of a petition for judicial review on behalf of the Kansas Department of Agriculture, Division of Water Resources. If you have questions or would like clarification concerning this order, you may contact the Chief Engineer.

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

NOV 18 2016

Re: Appropriation of Water
Water Right
Vested Right
Term Permit
(Check Appropriate Box Above)
File No. 48,908

KS DEPT OF AGRICULTURE

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):

[Signature]
(Signature of Owner or Authorized Agent)

(Signature of spouse or title of Authorized Agent)

James P. Voss
(Please print name here)

(Please print name here)

14984 Rd E7
(Mailing Address)

(Mailing Address)

Alma, Kansas 67622
(City, State, Zip)

(City, State, Zip)

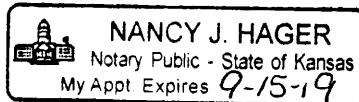
ACKNOWLEDGMENT

State of Kansas)
County of Norton)

This instrument was acknowledged before me this 14th day of November, 2016 by
(owners:) Voss Farms by James Voss
(Seal)

[Signature]
Notary Public

My appointment expires:



DWR Initials