

KANSAS DEPARTMENT OF AGRICULTURE

Adrian J. Polansky, Secretary of Agriculture

DIVISION OF WATER RESOURCES

David L. Pope, Chief Engineer

DISMISSAL OF APPROPRIATION OF WATER FILE NO. 45,401

This is to certify that on April 19, 2007, a voluntary request to dismiss Appropriation of Water, File No. 45,401, was filed with the office of the Chief Engineer by the following Water Right owner(s):

Lloyd W. Boyle, Jr. P.O. Box 685 Canton, Kansas 67428

Per this request, those above have 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. 45,401, and forfeiture of its priority. The dismissed file pertains to point(s) of diversion and place of use described as:

one (1) well located in the Southwest Quarter of the Northeast Quarter of the Northwest Quarter (SW1/4 NE1/4 NW1/4) of Section 9, Township 24 South, Range 3 West, Harvey County, Kansas, for irrigation use on the following described property:

			NE1/4				NW¼				SW¼				SE%				TOTAL
Sec.	Twp.	Range	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE¼	NE1/4	NW¼	SW1/4	SE1/4	ACRES_
09	24s	03w								33.47									120.99

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.

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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 for the Kansas Department of Agriculture, 109 SW 9th Street, 4th Floor, Topeka, Kansas 66612, 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.

Dated at Topeka, Kansas, this of day of

, 2007.

Lane P. Letourneau, L.G.

Water Appropriation Program Manager
Division of Water Resources
Kansas Department of Agriculture

State of Kansas

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County of Shawnee

The foregoing instrument was acknowledged before me this day of , 2007, by Lane P. Letourneau, L.G., Water Appropriation Program

Manager, Division of Water Resources, Kansas Department of Agriculture.

Notar√Public

My appointment expires:

SHERYL P FERGEL

OFFICIAL MY COMMISSION EXPIRES

January 5, 2010

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