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June 29, 2009

David W. Barfield, P.E., Chief Engineer
Division of Water Resources
109 SW 9th Street, 2nd Floor
Topeka, Kansas 66612-1283

RE: Domestic Well Spacing Request
Appropriation of Water
File No. 46,245

Dear Mr. Barfield:

Please find enclosed a Domestic Well Owner Well Spacing Permission Form signed by Francis D. Sullivan and Diane Sullivan of Culver, Kansas in regards to Appropriation of Water, File No. 46,245.

On February 26, 2009, Lane P. Letourneau of your office signed an order modifying the permit to appropriate groundwater for municipal use, requiring that the authorized point of diversion be at least 1,320 feet from a nearby domestic well after drilling of the wells in the authorized battery, and that the point of diversion remain within 300 feet of the permitted location.

Rural Water District No. 2, Ottawa County has reached an agreement with the owners of the domestic well in question and has obtained the previously mentioned Well Spacing Permission Form from the owners, which should make the Findings and Order dated February 26, 2009, unnecessary.

Because the Findings and Order is unnecessary, the District requests that it be rescinded, to allow the completion of the battery of three wells as originally approved.

Any questions that you or your staff have regarding this request can be directed to me by telephone at 785/640-4701, by e-mail at dhelmke@krwa.net or by writing to 6847 SE 29th Street, Tecumseh, Kansas 66542-9571.

Sincerely,

DSH
Enclosure
c: KRWA
Ottawa RWD 2

Douglas S. Helmke, L.G.
Water Rights / Source Water Specialist
Kansas Rural Water Association