Kansas Department of Agriculture Division of Water Resources

CLOSURE OF NEW APPLICATION WORKSHEET

1. File Number: 50726	;		Change Date: 2022	3. Field Office: 02		4. GMD:	0
5. Status: Approved	☐ Denied by D\	WR/GMD	⊠ Disi	miss by Request/Fa	ilure to F	Return	
6. Enclosures:	☐ N of C Form	☐ Wa	ater Tube	☐ Driller Copy	□м	eter	
7a. Applicant(s) New to system □	Person ID 6183 Add Seq#	88	7c. Landowne New to sy		-	Person ID _ Add Seq# _	
PAUL S LANGE 1098 N CONWAY SPR CONWAY SPRINGS, K 7b. Landowner(s) New to system GREG & ERIK LANGE 1098 N CONWAY SPR CONWAY SPRINGS, K	Person ID 682 Add Seq#	261	7d. Misc New to sy	rstem □	-	Person ID _ Add Seq# _	
8. WUR Correspondent New to system Overlap File (s) WUC Agree Yes No 7a	Person ID Add Seq# Notarized WUC	Form	9. Use of Wate	☑ Groundwater ☐ REC ☐ SED ☐ WTR PWR	□ DI	urface Wate	r MUN CON
10. Completion Date:	11. Perfe	ction Date:		12. Ex	ιρ Date:		
13. Conservation Plan Required? 14. Water Level Measuring Device?							
				Date Prepared 6/30 Date Entered: 9/20		ву: ВМ Ву:	

	50726		15. Formati	on Coc	de:			Drair	nage B	asin: S	Saline	River		Co	unty: \$	SU		Sp	ecial U	se:		Strea	m:	
16. Point	ts of Diversion												1	7. Rat			•							
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СНК	89309	SW	28	30	S	3W	1		132	0	39	60		80			1	73						NA
18. Stora	ige: Rate			NF	Qua	intity _					ac/ft	Ad	ditiona	al Rate					NF	Add	itional Qu	ıantity		a
	ation:																							
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KANSAS DEPARTMENT OF AGRICULTURE Division of Water Resources

<u>MEMORANDUM</u>

TO: Files **DATE**: June 30, 2022

FROM: Brandon Milner **RE:** Application, File No. 50,726

Paul Lange filed the above referenced application to appropriate groundwater for irrigational use and requested 60 days to locate the point of diversion on February 22, 2022. The application was returned to the applicant on February 28, 2022 providing 60 days to locate the point of diversion, provide additional information, and return the application by a April 28, 2022 deadline. The applicant was provided one extension of the deadline with the final being on June 28, 2022.

The application has not been returned with locations identified by the June 28, 2022, deadline. Therefore, it is recommended that the application be dismissed.

Brandon Milner Environmental Scientist New Applications Unit

KANSAS DEPARTMENT OF AGRICULTURE Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCESEarl D. Lewis Jr., Chief Engineer

FINDINGS AND ORDER IN THE MATTER OF THE DISMISSAL OF APPLICATION FILE NO. 50,726

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

- That on February 22, 2022, the Chief Engineer received an application from Paul Lange for a
 permit to appropriate groundwater for beneficial use, assigned File No. 50,726, proposing the
 appropriation of 173 acre-feet of water, at a maximum requested diversion rate of 800 gallon per
 minute, for irrigation use. The applicant requested 60 days to locate the specific point of diversion
 within the Southwest Quarter of Section 28, Township 30 South, Range 3 West, Sumner County,
 Kansas.
- 2. That on February 28, 2022, the original application was returned to the applicant, with a cover letter requesting that additional information be submitted in order to complete the application. The applicant was provided a deadline of April 28, 2022, the time in which to provide the requested information and return the application. The applicant was provided one extension of time with the latest deadline being June 28, 2022.
- 3. That the applicant was provided a reminder letter on May 31, 2022, to return the requested information and application by the June 28, 2022.
- 4. That the original application was not returned by the June 28, 2022, deadline.
- 5. That the application should be dismissed and its priority forfeited as provided by K.S.A. 82a-710

<u>ORDER</u>

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. 50,759, is herewith dismissed and the priority assigned to it is considered to be forfeited.

It is so ordered this 21 day of September, 2022, in Manhattan, Riley County, Kansas.

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 ZI day of Sertember, 2022, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.

Notary Public

ASHLEE FREEMAN My Appointment Expires April 21, 2024 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

PAUL S LANGE 1098 N CONWAY SPRINGS RD CONWAY SPRINGS, KS 67031

September 28, 2022

Re: Application, File No. 50,726

Dear Whom it may concern:

The referenced application was returned to you on February 28, 2022. Enclosed are the Findings and Order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application, File No. 50,726, for failure to return the original application and provide the requested information, prior to the deadline of June 28, 2022.

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 set forth in the enclosed orders.

If you have any questions, please contact our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen Baum

New Application Unit Supervisor Water Appropriation Program

KAB: bmm Enclosures

pc: Stafford Field Office Greg & Erik Lange

UNDER THE KANSAS JUDICIAL REVIEW ACT

This is a final agency action as defined in K.S.A. 77-607(b). You may pursue judicial review of this Order as provided in the Kansas Judicial Review Act, K.S.A. 77-601 et seq. A petition for judicial review must be filed in a Kansas court of competent jurisdiction within 30 days after service of this Order as provided in K.S.A. 77-613. The agency officer designated to receive service of a petition for judicial review on behalf of the Kansas Department of Agriculture is the Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Dr. Manhattan, KS 66502.

CERTIFICATE OF SERVICE

On this \mathcal{H} day of September, 2022, I hereby certify that the foregoing Dismissal of Application, File No. 50,726, dated \mathcal{H} was mailed postage prepaid, first class, US mail to the following:

PAUL S LANGE 1098 N CONWAY SPRINGS RD CONWAY SPRINGS, KS 67031

With photocopies to: Stafford Field Office

Greg & Erik Lange

Division of Water Resources