



File No. **50,755**      13. County: **CA** Basin: **Bluff Creek** Stream:  
 Structures File No:      Aquifer Code: **112**      Special Use Area:

14. Points of Diversion, Rates & Quantities

PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Qty <b>AF</b>		Rate <b>gpm</b>		Storage Qty <b>AF</b>		Storage Rate	
									Auth	Add	Auth	Add	Auth	Add	Auth/Add	Overlaps
<b>DEL</b>	<b>89390</b>	<b>SE</b>	<b>NW</b>	<b>SW</b>	<b>19</b>	<b>30S</b>	<b>23W</b>	<b>3</b>	<b>1709</b>	<b>4269</b>	<b>118.4</b>	<b>800</b>				

15. Limitations **NEW** Type:      Quantity:      **AF** Rate:      **gpm** combined with file no(s):  
**NEW** Type:      Quantity:      **AF** Rate:      **gpm** combined with file no(s):

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

17. Place of Use

PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner(s)	Chg?	Overlaps
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
<b>DEL</b>	<b>89320</b>	<b>19</b>	<b>30S</b>	<b>23W</b>	<b>3</b>					3.5	1.5	23.50	15.00	17.50	13.00					74	<b>5A</b>	<input type="checkbox"/>		
																				0.00		<input type="checkbox"/>		
																				0.00		<input type="checkbox"/>		
																				0.00		<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:** September 4, 2024

**FROM:** Brandon Milner

**RE:** Application, File No. 50,755

Jordan Amy has filed the above referenced application to appropriate groundwater for an application to appropriate water on May 28<sup>th</sup>, 2022, and was labeled as application no. 50,755.

A letter was sent to the applicant for failure to meet safetyield, more specifically designated unit area Bluff Creek No. 67 on August 9<sup>th</sup>, 2024 with a deadline of August 24<sup>th</sup>, 2024, to request an extension or provide additional information. The applicant requested an extension to see if additional water could be available after the perfection period of 2023. A letter dated August 24<sup>th</sup>, 2024 was sent to the applicant giving an extension to February 28<sup>th</sup>, 2024 to see if any additional water would be available after the perfection period of 2023 was completed. However, no additional was freed up during this period, so it recommended that this application be dismissed.

Based on the above deadline passing with no additional information, it is recommended that the file be dismissed.

Brandon Milner  
Environmental Scientist  
New Applications Unit

1 67 ##### 111132 1.2 1113 50% 5557 30-24w

2 This table has the exported quantities from the unit area and may contain adjustments explained in the blue column

Adjusted Date

3 The table to the right of the blue column column has the exported quantities from the selected files in the designated unit area

Total Quantity

THESE FILES ARE ALL OUTSIDE GMD3, THERE ARE NO WATER

4 **Unit 67**      **5557 acre-ft Originally Available**      **Remaining Quantity Available is: -1**  
 5 **(any negative value is overappropriated)**      **acre-ft**

5558      5/21/2024  
 acre-ft

OBJECTID *	WATERRIGHT_NAME	WRF_STATU	AUTH_QUANT	ADD_QUANT	FPDIV_COMM	Comments for any adjusted quantities
7	3,692	NK	217.000	217	<Null>	
12	9,164	NK	258.000	258	@CS SW	
19	14,569	NK	357.000	357	<Null>	
27	15,736	NK	66.000	66	<Null>	
60	26,959	NK	95.666	96	WELL #3	
61	26,959	NK	95.666		WELL #2	remove duplicated quantity for entire right
62	26,959	NK	95.666		WELL #4	remove duplicated quantity for entire right
64	26,959	NK	95.666		WELL #9	remove duplicated quantity for entire right
66	27,183	NK	260.000	145	<Null>	
90	32,300	NK	113.000	113	<Null>	
95	32,583	NK	199.000	199	<Null>	
105	33,422	NK	360.000	360	<Null>	
115	36,019	NK	0.000	1741	DAM - CASL ADDITIONAL	no authorized quantity shown in wris? 5/15/24, Q added b

K	L	M	N	O	P	Q	R	S	T	U	V	W	X
			38,438				NK		33.758	33	WELL #5		
			38,439				NK		33.758	0	WELL #4		
			40,931				NK		32.156	5	GEO CTR		
			40,931				NK		32.156		BATT 1 OF 3 WELLS - WE	remove duplicated quantity for entire right	
			40,931				NK		32.156		BATT 1 OF 3 WELLS - WE	remove duplicated quantity for entire right	
			40,931				NK		32.156		BATT 1 OF 3 WELLS - WE	remove duplicated quantity for entire right	
			42,021				NK		114.000	17	<Null>		
			CA 2				AA		52.171	52	WELL #4		
			CA 2				AA		52.171		WELL #5	remove duplicated quantity for entire right	
			CA 6				AA		787.000	787	CASL		
			45,014				NK		199.000	0	<Null>		
			49,888				KE		38.400	38	<Null>		
			49,887				KK		73.600	74	<Null>		
			50,185				HK		241.215	107	<Null>		
			50,186				KE		241.215	0	WELL #10		
			50,187				KE		241.215	0	WELL #11		
			50,755				AY		118.400		<Null>	pending new application	
			0				0		0.000		0.00		
			0				0		0.000	0	0.00		
			0				0		0.000	0	0.00		

3,692	NK	217	217
9,164	NK	258	258
14,569	NK	357	357
15,736	NK	66	66
26,959	NK	95.666	96
26,959	NK	95.666	
26,959	NK	95.666	
26,959	NK	95.666	
27,183	NK	260	145
32,300	NK	113	113
32,583	NK	199	199
33,422	NK	360	360
36,019	NK	1,741.00	1741
37,009	LR	319.164	319
37,158	KK	320	320
37,202	NK	253	253
38,438	NK	33.758	33
38,439	NK	33.758	0
40,931	NK	32.156	5
40,931	NK	32.156	
40,931	NK	32.156	
40,931	NK	32.156	
42,021	NK	114	17
CA 2	AA	52.171	52
CA 2	AA	52.171	
CA 6	AA	787	787
45,014	NK	199	0
49,888	KE	38.4	38
49,887	KE	73.6	74
50,185	HK	241.215	107
50,186	HK	241.215	0
50,187	HK	241.215	0
50,755	AY	118.4	
51,092	AY	276	

WRIS check

<Null>	217
@CS SW	258
<Null>	357
<Null>	66
WELL #3	95.67
WELL #2	95.67
WELL #4	95.67
WELL #9	95.67
<Null>	145
<Null>	113
<Null>	199
<Null>	360
<b>DAM - CASL ADDITIONAL</b>	<b>1714</b>
WELL #7	319.2
GROUNDWATER PIT	320
<b>DAM</b>	<b>253</b>
<b>WELL #5</b>	<b>33.3</b>
<b>WELL #4</b>	<b>5</b>
GEO CTR	5
BATT 1 OF 3 WELLS - WELL #7	
BATT 1 OF 3 WELLS - WELL #6	
BATT 1 OF 3 WELLS - WELL #8	
<Null>	17
WELL #4	52.17
WELL #5	
CASL	787
<Null>	0
<Null>	38.4
<Null>	73.6
<Null>	107
WELL #10	0
WELL #11	
<Null>	
<Null>	



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  
FILE NO. 50,755**

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 March 28, 2022, the Chief Engineer received an application from Jordan Amy, on behalf of Amy Land & Cattle LLC, for a permit to appropriate groundwater for beneficial use, assigned File No. 50,755, proposing the appropriation of 118.4 acre-feet of water, at a maximum requested diversion rate of 800 gallons per minute, for irrigation use, from one (1) well located in the Southeast Quarter of the Northwest Quarter of the Southwest Quarter (SE $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 19, Township 30 South, Range 23 West, Clark County, Kansas.
2. That the Kansas Water Appropriation Act, in K.S.A. 82a-711, requires the Chief Engineer to consider whether a proposed use will prejudicially and unreasonably affect the public interest, and shall take into consideration established minimum desirable streamflow requirements, the area, safe yield, and recharge rate of the appropriate water supply, the priority of existing claims of all persons to use the water of the appropriate water supply, the amount of each claim to use water from the appropriate water supply, and all other matters pertaining to such question.
3. That K.A.R. 5-3-9 requires that it shall be considered to be in the public interest that only the safe yield of any source of water supply, including hydraulically connected sources of water supply, shall be appropriated, and K.A.R. 5-3-10 and K.A.R. 5-3-11 set forth the methodology for determining safe yield.
4. That K.A.R. 5-1-1(vvv) defines "safe yield" as the long-term sustainable yield of the source of supply, including hydraulically connected surface water or groundwater.
5. That on August 9, 2023, a letter was mailed to the applicant, stating that the application failed to comply with the safe yield requirements, that the application would be submitted to the Chief Engineer with a recommendation for denial, and that the applicant had an opportunity to submit additional information to be considered, which must be submitted by August 24, 2023, or within any authorized extension of time.
6. That on August 22, 2023, the applicant requested, and was granted, an extension of time, until February 28, 2024, in accordance with K.A.R. 5-3-4c.



- 7. That although the application has been held for the maximum amount of time allowed by K.A.R. 5-3-4c, there are no pending actions on other permits or water rights such as issuance of certificates, dismissal of applications or declarations of abandonment, within the area of consideration for the proposed well.
- 8. That no additional information has been submitted within the time allowed and no extension of time has been justified by the applicant or authorized by the Chief Engineer.
- 9. That Application, File No. 50,755, should be denied and dismissed and its priority forfeited as provided by K.S.A. 82a-711, K.A.R. 5-3-9, K.A.R. 5-3-10 and K.A.R. 5-3-11.

**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. 50,755, is herewith dismissed and the priority assigned to it is considered to be forfeited.

It is so ordered this *12* day of *September*, 2024, in Manhattan, Riley County, Kansas.

*Lane P. Letourneau*

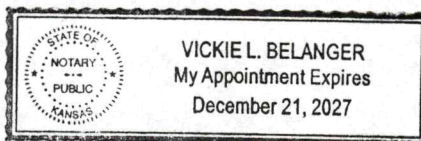
Lane P. Letourneau, P.G.  
Water Appropriation Program Manager  
Division of Water Resources  
Kansas Department of Agriculture

State of Kansas )  
                          ) SS  
County of Riley )

The foregoing instrument was acknowledged before me this *12* day of *September*, 2024, by Lane P. Letourneau, P.G., Water Appropriation Program Manager, Division of Water Resources, Kansas Department of Agriculture.

*Vickie L. Belanger*

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

September 19, 2024

JORDAN AMY  
AMY LAND & CATTLE LLC  
1953 JACKSON ST  
LEWIS, KS 67552

RE: Dismissal of Application  
File No. 50,755

Dear Mr. Amy:

Enclosed is a Findings and Order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing the above referenced application to appropriate water for failure to meet safe yield as originally described in our letter to you, dated August 9, 2023, and the extension granted on August 24, 2024. We have held your application for 365 days, as allowed in our regulations, by K.A.R. 5-3-4c. Unfortunately, there are no actions pending with other permits or water rights within the area of consideration for your new application that would cause it to meet safe yield.

Please feel free to contact this office should you have any questions. If you wish to discuss a specific file, please have the file number ready 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 Unit Supervisor  
Water Appropriation Program

KAB:kak:bmm  
Enclosure  
pc: Stafford Field Office

## RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 18 days after this Order was mailed to you), with: Kansas Department of Agriculture, Attn: Legal Division, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX 785-564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, 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 neither a request for an evidentiary hearing nor a 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 either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

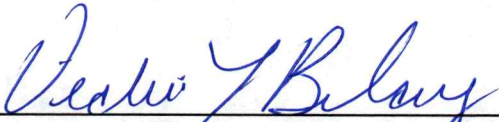
## CERTIFICATE OF SERVICE

On this 19 day of September, 2024, I hereby certify that the foregoing Dismissal of Application, File No. 50,755, dated September 12, 2024, was mailed postage prepaid, first class, U.S. mail to the following:

AMY LAND & CATTLE LLC  
1953 JACKSON ST  
LEWIS KS 67552

With photocopies to:

KDA-DWR Stafford Field Office

  
\_\_\_\_\_  
Division of Water Resources