

Kansas Department of Agriculture
Division of Water Resources
FINDINGS & ORDER

1. File No(s). 50501	1a. <input type="checkbox"/> Vested Right <input type="checkbox"/> Water Right <input checked="" type="checkbox"/> Appropriation of Water	1b. Document Date: 5/31/2022	2. Field Office: 3	3. GMD:
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4. Type and Purpose of Letter

Type of Extension _____ Completion Date _____

Date Received _____ Perfection Date _____

Completion of Diversion Works: Permit Change Approval

Meter Installed _____

Dismissal **Failure to supply additional information or request extension by final deadline provided (2/4/2022)**

Other _____

5a. Name & Address DAVID P FORSHEE 1141 CLOUD RD DELPHOS, KS 67436 Person ID 57882	5b. Name & Address Person ID _____
5c. Name & Address Person ID _____	5d. Name & Address Person ID _____

6. General Information Priority Date 1/8/2018 Certificate Date _____ Vested Right Order Date _____ Approval Date _____ Priority Date of Change _____ Approval of Change Date _____ Completion Date _____ Perfection Date _____	7. Use of Water: <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water <input checked="" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN <input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON <input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG <input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____ 8. Battery Number _____ 9. Special Use _____ 10. Aquifer _____
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5/25/2022 JDK	Date Prepared: 2/18/2022 By: KJN
6/6/2022 LMoody	Date Entered: 6/6/2022 By: _____

(no info on reverse)

File No. **50501** Priority Date: County: **CD** Basin: **SOLOMON RIVER** Stream: Formation Code:

11. Points of Diversion

										Rate and Quantity				
NC	<input checked="" type="checkbox"/> G <input type="checkbox"/> S									Authorized		Additional		
MOD										Rate	Quantity	Rate	Quantity	
DEL	PDIV	Qualifier	S	T	R	CIN	'N	'W	Comment	gpm	AF	gpm	AF	Overlap PD Files
ENT														
CHK	88744	NC SW	36	8S	4W	6	658	4619						42978

12. Storage: Rate _____ NF Quantity _____ AF Additional Rate _____ NF Additional Quantity _____ AF

13. Limitation: _____ AF mgy at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ AF mgy at _____ gpm (_____ cfs) when combined with file number(s) _____

14. Place of Use

NC MOD DEL ENT	PUSE	S	T	R	CIN	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap PU 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				
CHK	51121	36	8S	4W	2											40						40	5a	NO	42978

15. Comments: **DON'T DELETE PD OR PU, OVERLAPS WITH EXISTING WR 42978**

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: February 18, 2022

FROM: Kris Neuhauser

RE: New Application,
File No. 50,501

David P. Forshee filed the above referenced application to appropriate groundwater for irrigation use, requesting one (1) well, with a quantity of 60 acre-feet of water per calendar year, at a diversion rate of 600 gallons per minute. After review of the application and discussion with Stockton Field Office staff, a letter was sent to the applicant on December 6, 2021, requesting a 48-hour pump test and detailed report (done by a consulting firm or groundwater professional licensed through the KS Board of Technical Professions) over said test. The letter provided a deadline of February 4, 2022 to supply the required information.

No reply of any kind from the applicant was received prior to the February 4, 2022 deadline. Therefore, based on the above discussion, it is recommended that the referenced application be denied and dismissed.



Kris Neuhauser
New Applications Lead
Water Appropriation Program

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 FILE NO. 50,501

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 January 6, 2021, the Chief Engineer received an application from David Forshee for a permit to appropriate groundwater for beneficial use, assigned File No. 50,501, proposing the appropriation of 60 acre-feet of water, at a maximum requested diversion rate of 600 gallon per minute, from a one (1) well for irrigation use.
2. That after review of the application and discussion with Stockton Field Office staff, a letter was sent to the applicant on December 6, 2021, requesting a 48-hour pump test and detailed report (done by a consulting firm or groundwater professional licensed through the KS Board of Technical Professions) over said test.
3. That the letter provided a deadline of February 4, 2022 to supply the required information, in order for the file to continue the approval process.
4. That no information has been presented and no contact of any kind has been received from the applicant to date.
5. That the application should be dismissed and its priority forfeited as provided by K.S.A. 82a-710.

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. 50,501, is herewith dismissed and the priority assigned to it is considered to be forfeited.

It is so ordered this 31 day of May, 2022, 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 31 day of May, 2022, by Lane P. Letourneau, P.G., Water Appropriation Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Ashlee Freeman
Notary Public

**RIGHT TO PETITION FOR REVIEW
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 _____ day of _____, 2022, I hereby certify that the foregoing Dismissal of Application, File No. 50,501, dated _____, 2022, was mailed postage prepaid, first class, US mail to the following:

DAVID P FORSHEE
1141 CLOUD RD
DELPHOS, KS 67436

With photocopies to:

Stockton Field Office

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

DAVID P FORSHEE
1141 CLOUD RD
DELPHOS, KS 67436

June 14, 2022

Re: Application, File No. 50,501

Dear Mr. Forshee:

The referenced application was returned to you on December 6, 2021. Enclosed are the Findings and Order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application, File No. 50,501, for failure to provide the requested information, prior to the final deadline of February 4, 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 at 785-564-6640. 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 Applications and Changes Supervisor
Water Appropriation Program

KAB: kjn
Enclosures
pc: Stockton Field Office

It is so ordered this 31 day of May, 2022, 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 31 day of May, 2022, by Lane P. Letourneau, P.G., Water Appropriation Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Ashlee F
Notary Public

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CERTIFICATE OF SERVICE

On this 14 day of June, 2022, I hereby certify that the foregoing Dismissal of Application, File No. 50,501, dated 31 May, 2022, was mailed postage prepaid, first class, US mail to the following:

DAVID P FORSHEE
1141 CLOUD RD
DELPHOS, KS 67436

With photocopies to:

Stockton Field Office

Ashlee F
Division of Water Resources