

File No. **50453** 15. Formation Code: Drainage Basin: **Little Arkansas** County: **MP** Special Use: Stream:

16. Points of Diversion										17. Rate and Quantity						
T	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized		Additional		Overlap PD Files
												Rate gpm	Quantity af	Rate gpm	Quantity af	
CHK				88429	S2 SE	28	19S	1W	20	660	1320	800	101.4			NA
DEL*																NONE

18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

19. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

20. Meter Required? Yes No To be installed by _____ Date Acceptable Meter Installed _____

21. Place of Use										NE¼								NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
T	MOD	DEL	ENT	PUSE	S	T	R	ID		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				70138	28	19S	1W	3																			39.5	38.5	78	7a	N	NA	
DEL*																																NONE*	

Comments: * LI/DWR

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: December 14, 2020

FROM: Brandon Milner

RE: Application, File No. 50,453

Cameron and Kristi filed the above referenced application to appropriate groundwater for irrigational use and requested 60 days to locate the point of diversion on October 7, 2020. The application was returned to the applicant on October 9, 2020 providing 60 days to locate the point of diversion, provide additional information, and return the application by a December 8, 2020 deadline.

The application has not been returned with locations identified by the December 8, 2020 deadline. Therefore, it is recommended that the application be dismissed.

Brandon Milner
Environmental Scientist
New Applications Unit

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. 50,453

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 October 7, 2020, the Chief Engineer received an application from Cameron Unruh for a permit to appropriate groundwater for beneficial use, assigned File No. 50,453, proposing the appropriation of 101.4 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 South Half of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 28, Township 19 South, Range 1 West, McPherson County, Kansas.
2. That on October 9, 2020 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 December 8, 2020, the time in which to provide the requested information and return the application. The applicant was informed that the application would be dismissed if it was not returned by the deadline, or within any authorized extension of time.
3. That a reminder letter was sent to the applicant on November 16, 2020, once again stating the December 8, 2020, date that the original application was required to be returned.
4. That the original application was not returned by the December 8, 2020 deadline.
5. That the application should be dismissed and its priority forfeited as provided by K.S.A. 82a-710.

(over)

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. 50,308, is herewith dismissed and the priority assigned to it is considered to be forfeited.

It is so ordered this *6* day of *may*, 2021, 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 *6* day of *may*, 2021, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Ashlee Freeman
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

May 12, 2021

CAMERON & KRISTI UNRUH
1980 NAVAJO RD
MCPHERSON, KS 67460

Re: Application, File No. 50,453

Dear Mr. & Mrs. Unruh:

The referenced application was returned to you on October 9, 2020. Enclosed are the Findings and Order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application, File No. 50,453 for failure to return the original application and provide the requested information, prior to the deadline of December 8, 2020.

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,

A handwritten signature in black ink that reads "Kristen Baum". The signature is written in a cursive, flowing style.

Kristen Baum
New Applications and Changes Supervisor
Water Appropriation Program

KAB: bmm:li
Enclosure

pc: Stafford Field Office
Groundwater Management District No. 2

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 *13* day of *may*, 2021, I hereby certify that the foregoing Dismissal of Application, File No. 50,453, dated *16 may*, 2021, was mailed postage prepaid, first class, US mail to the following:

CAMERON & KRISTI UNRUH
1980 NAVAJO RD
MCPHERSON, KS 67460

With photocopies to:

Stafford Field Office
Groundwater Management District No.2


Division of Water Resources