







**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**

**M E M O R A N D U M**

**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

# 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. 50,726**

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**

1. 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

**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. 50,759, 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*

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 21 day of September, 2022, 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

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.

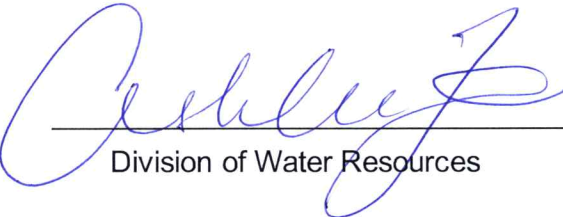
**CERTIFICATE OF SERVICE**

On this 28 day of September, 2022, I hereby certify that the foregoing Dismissal of Application, File No. 50,726, dated 21 September 2022 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

  
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Division of Water Resources