

Kansas Department of Agriculture
Division of Water Resources
CLOSURE OF NEW APPLICATION WORKSHEET

1. File Number: <p style="text-align: center; font-weight: bold; font-size: 1.2em;">50759</p>	2. Status Change Date: <p style="text-align: center; font-weight: bold; font-size: 1.2em; color: purple;">9/21/2022</p>	3. Field Office: <p style="text-align: center; font-weight: bold; font-size: 1.2em;">02</p>	4. GMD: <p style="text-align: center; font-weight: bold; font-size: 1.2em;">0</p>
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5. Status: Approved Denied by DWR/GMD Dismiss by Request/Failure to Return

6. Enclosures: Check Valve N of C Form Water Tube Driller Copy Meter

7a. Applicant(s) Person ID 6608
New to system Add Seq# _____

SHANE J & KIANNE K PRILL REV TRUST
15001 E 21ST STREET
WICHITA, KS 67230-7211

7b. Landowner(s) Person ID _____
New to system Add Seq# _____

7A

7c. Landowner(s) Person ID _____
New to system Add Seq# _____

7d. Misc Person ID _____
New to system Add Seq# _____

8. WUR Correspondent Person ID _____
New to system Add Seq# _____
Overlap File (s) WUC Notarized WUC Form
Agree Yes No
7a

9. Use of Water: Changing? Yes No

Groundwater Surface Water

IRR REC DEW MUN

STK SED DOM CON

HYD DRG WTR PWR ART RECHRG

IND SIC: _____ OTHER: _____

10. Completion Date: _____ 11. Perfection Date: _____ 12. Exp Date: _____

13. Conservation Plan Required? Yes No Date Required: _____ Date Approved: _____ Date to Comply: _____

14. Water Level Measuring Device? Yes No Date to Comply: _____ Date WLMD Installed: _____

Date Prepared: **6/28/22** By: **BM**
Date Entered: 9/26/2022 By: **LMoody**

File No. **50759** 15. Formation Code: Drainage Basin: Saline River County: **HP** Special Use: Stream:

16. Points of Diversion										17. Rate and Quantity						
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			89412	NE	34	10S	13W	1	3960	1320	800	114			NA	

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																		Total	Owner	Chg? NO	Overlap Files								
MOD	DEL	ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼									
								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						
ENT			70787	34	10S	13W	1	1	26	26	28													81	7a	N	NO		

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: June 28, 2022

FROM: Brandon Milner

RE: Application, File No. 50,759

The Prill Rev Trust filed the above referenced application to appropriate groundwater for irrigational use and requested 60 days to locate the point of diversion on April 7, 2022. The application was returned to the applicant on April 11, 2022 providing 60 days to locate the point of diversion, provide additional information, and return the application by a June 11, 2022 deadline.

The application has not been returned with locations identified by the June 11, 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. 50,759

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 April 7, 2022, the Chief Engineer received an application from the Prill Rev. Trust for a permit to appropriate groundwater for beneficial use, assigned File No. 50,759, proposing the appropriation of 114 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 Northeast Quarter of Section 34, Township 10 South, Range 13 West, Osborne County, Kansas.
2. That on April 11, 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 June 11, 2022, 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 the applicant was provided a reminder letter on May 10, 2022, to return the requested information and application by the June 11, 2022.
4. That the original application was not returned by the June 11, 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)
County of Riley) SS

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

**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. 50,759, dated _____ was mailed postage prepaid, first class, US mail to the following:

With photocopies to:
Stockton Field Office

Division of Water Resources

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

SHANE J & KIANNE K PRILL REV TRUST
15001 E 21ST STREET
WICHITA, KS 67230-7211

September 28, 2022

Re: Application, File No. 50,759

Dear Whom it may concern:

The referenced application was returned to you on April 11, 2022. Enclosed are the Findings and Order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application, File No. 50,759, for failure to return the original application and provide the requested information, prior to the deadline of June 11, 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,

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

Kristen Baum
New Application Unit Supervisor
Water Appropriation Program

KAB: bmm
Enclosures
pc: Stockton Field Office

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CERTIFICATE OF SERVICE

On this 28 day of September, 2022, I hereby certify that the foregoing Dismissal of Application, File No. 50,759, dated 21 September 2022 was mailed postage prepaid, first class, US mail to the following:

With photocopies to:
Stockton Field Office

Ashlee Freeman
Division of Water Resources