



File No. **50965**      15. Formation Code:      Drainage Basin: Arkansas River      County: RN      Special Use:      Stream:

16. Points of Diversion										17. Rate and Quantity				
MOD	PDIV	Qualifier	S	T	R	ID	'N	'W		Authorized	Additional			
DEL										Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
<b>DEL</b>	<b>90085</b>	<b>SW</b>	<b>17</b>	<b>23S</b>	<b>4W</b>	<b>1</b>	<b>1320</b>	<b>3960</b>		<b>800</b>	<b>224</b>			<b>NA</b>

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
MOD	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	NE ¼	NW ¼	SW ¼	SE ¼								
<b>DEL</b>	<b>71239</b>	<b>17</b>	<b>23S</b>	<b>4W</b>	<b>1</b>									<b>40</b>	<b>40</b>	<b>40</b>	<b>40</b>									<b>160</b>	<b>7a</b>	<b>N</b>	<b>NA</b>				

Comments: **Dismissal for failure to locate wells**

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

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

**TO:** Files

**DATE:** March 26, 2024

**FROM:** Brandon Milner

**RE:** Application, File No. 50,965

Jaris Regier filed the above referenced application to appropriate groundwater for irrigational use and requested 60 days to locate the point of diversion on September 13<sup>th</sup>, 2023. The application was returned to the applicant on February 20<sup>th</sup>, 2023, providing 60 days to locate the point of diversion, provide additional information, and return the application by April 20<sup>th</sup>, 2023. The applicant was given multiple extensions with the latest being February 20, 2024.

The application has not been returned with locations identified by the February 20, 2024, 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. 50,965**

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 13, 2023, the Chief Engineer received an application from Jaris Regier for a permit to appropriate groundwater for beneficial use, assigned File No. 50,965, proposing the appropriation of 224 acre-feet of water, at a maximum requested diversion rate of 800 gallons per minute, for irrigation use.
2. That in accordance with K.A.R. 5-3-1, the application was accepted for filing provided the applicant supply a more specific location for the proposed point of diversion within the nominal legal quarter-section in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 17, Township 23 South, Range 4 West, Reno County, Kansas, within 60 days.
3. That on February 20, 2023, a letter was mailed to the applicant, detailing the additional information which must be submitted in order to complete the application, including the specific well location(s), providing the applicant until April 20, 2023, in which to provide the required information, and that the application would be dismissed if it was not submitted by that deadline, or within any authorized extension of time.
4. That the applicant requested and was provided consecutive extensions of time to submit the required information, with the latest extended deadline of February 20, 2024.
5. That the required information was not submitted by the February 20, 2024, deadline, nor did the applicant request an extension of time in which to do so.
6. That the incomplete application should be dismissed and its priority forfeited in accordance with 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. 50,965, is herewith dismissed and the priority assigned to it is considered to be forfeited.

It is so ordered this *16* day of *May*, 2024, in Manhattan, Riley County, Kansas.

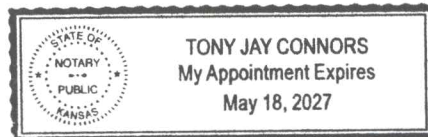
*Lane P. Letourneau*

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 *16* day of *May*, 2024, by Lane P. Letourneau, P.G., Water Appropriation Program Manager, Division of Water Resources, Kansas Department of Agriculture.

*Tony Jay Connors*  
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 22, 2024

JARIS REGIER  
9312 N WILLISON RD  
BUHLER, KS 67522

Re: Dismissal of Application  
File No. 50,965

Dear Mr. Regier:

A letter was mailed to you on February 20, 2023, requesting additional information to complete the above referenced Application to Appropriate Water for Beneficial Use. Enclosed is a Findings and Order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application, File No. 50,965, for failure to provide the required information, prior to the deadline of February 20, 2024.

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:kak:bmm

Enclosures

pc: Stafford Field Office  
Equus Beds GMD 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 22 day of May, 2024, I hereby certify that the foregoing Dismissal of Application, File No. 50,965, dated May 16, 2024, was mailed postage prepaid, first class, US mail to the following:

JARIS A & SHEILA L REGIER  
9312 N WILLISON RD  
BUHLER KS 67522

With photocopies to:

KDA-DWR Stafford Field Office

Equus Beds GMD No. 2

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