



File No. **50601**      15. Formation Code:      Drainage Basin: **Little Arkansas**      County: **MP**      Special Use:      Stream:

16. Points of Diversion										17. Rate and Quantity					
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized		Additional		
											Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
<b>CHK</b>	<del>88899</del>		<b>NE</b>		<b>9</b>	<b>20S</b>	<b>4W</b>	<b>6</b>	<b>3960</b>	<b>1320</b>	<b>800</b>	<b>208</b>	<b>800</b>	<b>208</b>	<b>NA</b>
	<b>88895</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	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	NE ¼	NW ¼	SW ¼	SE ¼						
<b>CHK</b>	<b>70449</b>	<b>9</b>	<b>20S</b>	<b>4W</b>	<b>2</b>			<b>40</b>	<b>40</b>	<b>40</b>	<b>40</b>																	<b>160</b>	<b>7b</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: February 15, 2022

FROM: Brandon Milner

RE: Applications, File Nos. 50,601

The Don and Bonnie Irons Trust has filed the above referenced application to appropriate groundwater for irrigation use and requested 60 days to locate the points of diversion. The application was returned to the applicant on June 16, 2021, providing 60 days to locate the points of diversion, provide additional information, and return the application by an August 16, 2021 deadline. A reminder letter was sent to the applicant on July 16, 2021. The application has not been returned by the applicant by the August 16 ,2021 deadline.

Based on the available information, that the application was not returned within the time allowed, it is recommended that the file be dismissed for failure to return, as provided by K.S.A. 82a-710.

1/31/2022  
KJN

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. 50,601**

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 June 14, 2021, the Chief Engineer received an application from the Don and Bonnie Irons Trust for a permit to appropriate groundwater for beneficial use, assigned File No. 50,601, proposing the appropriation of 208 acre-feet of water, at a maximum requested diversion rate of 800 gallons per minute, for irrigation use. The applicant requested 60 days to locate the specific point of diversion within the Northeast Quarter of Section 9, Township 20 South, Range 4 West, McPherson County, Kansas.
2. That on June 16, 2021, 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 August 16, 2021, 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 July 16, 2021, once again stating the August 16, 2021 date that the original application was required to be returned.
4. That the original application was not returned by the August 16, 2021 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. 50,601, is herewith dismissed and the priority assigned to it is considered to be forfeited.

It is so ordered this 11 day of February, 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 11 day of February, 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

DARREN IRONS  
2001 WORTHINGTON LN  
EDMOND, OK 73013

February 14, 2022

Re: Application, File No. 50,601

Dear Whom it may concern:

The referenced application was returned to you on June 16, 2021. Enclosed are the Findings and Order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application, File No. 50,601, for failure to return the original application and provide the requested information, prior to the deadline of August 16, 2021.

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: BM  
Enclosures  
pc: Stafford Field Office

DON & BONNIE IRONS TRUST  
Attn: DARREN IRONS  
2001 WORTHINGTON LANE  
EDMOND, OK 73013

## 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 *14* day of *February*, 2021, I hereby certify that the foregoing Dismissal of Application, File No. 50,601, dated *11 February*, 2021, was mailed postage prepaid, first class, US mail to the following:

DARREN IRONS  
2001 WORTHINGTON LN  
EDMOND, OK 73013

With photocopies to:  
Stafford Field Office

DON & BONNIE IRONS TRUST  
Attn: DARREN IRONS  
2001 WORTHINGTON LANE  
EDMOND, OK 73013

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