

**Kansas Department of Agriculture
Division of Water Resources
FINDINGS AND ORDER DISMISSAL OF NEW APPLICATION WORKSHEET**

1. File No.: 51,279		2. Status Change Date: 11/26/2024	4. Field Office: 03 - Stockton GMD: Structures File No.: Filing/Priority Date: 7/29/24	
3. Associated File No(s):				
5a. <input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Owner <input checked="" type="checkbox"/> WUC <input type="checkbox"/> Address Change Person ID 67899 Add Seq# DYLAN CROSSON 915 RIFLE RD MINNEAPOLIS, KS 67467		5b. <input checked="" type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change Person ID 62568 Add Seq# DAVID F CROSSON 2082 NORTH 120TH RD DELPHOS , KS 67436		
5c. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change Person ID Add Seq#		5d. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change Person ID Add Seq#		
6. Change No.: <input type="checkbox"/> PD <input type="checkbox"/> PU <input type="checkbox"/> UMW Base Acres: Year: Min Reasonable Q: Previous UMW: MDS Gauge: Active Admin? <input type="checkbox"/> Completion/Start Date: Perfection/Expiration Date:			7. Use of Water <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water UMW: IRR-Irrigation UMW: UMW:	
8. Action Trail				
9. Special Conditions				
10. 5YR Allocation		Type:	Start Year:	5YR Quantity:
		Comment:		Base Acres:
11. Sand & Gravel Proj ID: <input type="checkbox"/> Active <input type="checkbox"/> Dredge <input type="checkbox"/> IND Evap <input type="checkbox"/> Jr Evap <input type="checkbox"/> Other Diversion <input type="checkbox"/> Rpt on Sr				
12. Waiver Rule ID: <input type="checkbox"/> New Date Requested: Applies: Rule No.: Rule Type: Rule SubType: Justification:				
Comments			Processed BMM 11/20/24	Entered 11/26/2024 KAnderson
			Reviewed KAK 11/25/2024	

File No.51,279 Error! Reference source not found. Structures File No:	13. County: Ottawa Basin: Solomon River Stream: Aquifer Code: Special Use Area:
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14. Points of Diversion, Rates & Quantities										Qty AF		Rate gpm		Storage Qty AF		Storage Rate	
PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Auth	Add	Auth	Add	Auth	Add	Auth/Add	Overlaps	
DEL	91178 SW	34	9S	4W	10	1320	3960		241.8		800						

15. Limitations	NEW Type: Quantity: AF Rate: gpm combined with file no(s): NEW Type: Quantity: AF Rate: gpm combined with file no(s):
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16. Metering Metering Required Anti-Reverse Required Seal Required Compliance Date:

17. Place of Use						NE¼				NW¼				SW¼				SE¼				Total	Owner(s)	Chg?	Overlaps
PUSE	S	T	R	ID		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
DEL	63461	34	9S	4W	1			0.5		6.25	0.25	11.5	29	36.5	13	85	19.5					138	5B	<input type="checkbox"/>	
DEL	71865	34	9S	4W	3						8.5				25.5	14						48	5A	<input type="checkbox"/>	*
																						0.00		<input type="checkbox"/>	
																						0.00		<input type="checkbox"/>	
																								<input type="checkbox"/>	
																								<input type="checkbox"/>	

18. Point of Diversion and Place of Use Overlaps * 51278 + # ^	** ++ ## ^^
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KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: November 21, 2024

FROM: Brandon Milner

RE: Application, File No. 51,279

Dylan Crossing has filed the above referenced application to appropriate groundwater for irrigational use and requested 60 days to locate the point of diversion on July 29, 2024. The application was returned to the applicant on August 30, 2024, providing 60 days to locate the point of diversion, provide additional information, and return the application by an October 30, 2024 deadline. The requested information was not provided nor was an extension requested by the October 30th, 2024 deadline so it is recommended that 51,279 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. 51,279**

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 July 29, 2024, the Chief Engineer received an application from Dylan Crosson, for a permit to appropriate groundwater for beneficial use, assigned File No. 51,279, proposing the appropriation of 241.8 acre-feet of water, at a maximum requested diversion rate of 800 gallons per minute, for irrigation use.
2. That the Kansas Water Appropriation Act, in K.S.A. 82a-710, states that if an application is found to be defective, inadequate or insufficient to determine the nature and amount of the proposed appropriation, the applicant must correct or complete the application by submitting additional information within such time as may be approved by the Chief Engineer.
3. 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 34, Township 9 South, Range 4 West, Ottawa County, Kansas, within 60 days.
4. That on August 30, 2024, a letter was mailed to the applicant, describing the additional information which must be submitted in order to complete the application, including the specific well location(s), a stratigraphic log of a well or test hole within 300 feet of the proposed well(s), and a topographic map depicting the location of the proposed point of diversion and place of use, giving the applicant until October 30, 2024, in which to provide the required information, stating that the application would be dismissed if it was not submitted by that deadline, or within any authorized extension of time.
5. That the required information was not submitted by the October 30, 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. 51,279, is herewith dismissed and the priority assigned to it is considered to be forfeited.

It is so ordered this 26 day of November, 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 26 day of November, 2024, by Lane P. Letourneau, P.G., Water Appropriation Program Manager, Division of Water Resources, Kansas Department of Agriculture.

Vickie L. Belanger

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

December 6, 2024

DYLAN CROSSON
915 RIFLE RD
MINNEAPOLIS, KS 67467

Re: Dismissal of Application
File No. 51,279

Dear Mr. Crosson:

A letter was mailed to you on August 30, 2024 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. 51,279, for failure to provide the required information, prior to the deadline of October 30, 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,

A handwritten signature in blue ink that reads "Kristen Baum". The signature is cursive and fluid.

Kristen Baum
New Application Unit Supervisor
Water Appropriation Program

KAB:kak:bmm

Enclosures

pc: Stockton Field Office
David Crosson

**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 6th day of December, 2024, I hereby certify that the foregoing Dismissal of Application, File No. 51,279, dated November 26, 2024, was mailed postage prepaid, first class, US mail to the following:

DYLAN CROSSON
915 RIFLE RD
MINNEAPOLIS KS 67467

With photocopies to:

KDA-DWR Stockton Field Office

DAVID F CROSSON
2082 NORTH 120TH RD
DELPHOS KS 67436



Division of Water Resources