

Kansas Department of Agriculture  
Division of Water Resources

*Change App* LICATION WORKSHEET

1. File Number: <p style="text-align: center; font-size: 1.2em;"><b>48,657</b></p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em;">7/13/2017</p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;">2</p>	4. GMD:
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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

<p>7a. Applicant(s) <i>+ landowner</i> New to system <input type="checkbox"/>      Person ID <u><b>63149</b></u> Add Seq# _____</p> <p><b>DARREN IRONS</b> 2001 WORTHINGTON LN EDMOND OK 73013</p>	<p>7c. Landowner(s) New to system <input type="checkbox"/>      Person ID _____ Add Seq# _____</p>
<p>7b. Landowner(s) New to system <input type="checkbox"/>      Person ID <u><b>64478</b></u> Add Seq# _____</p> <p><b>ANGELA IRONS</b> 2001 WORTHINGTON LN EDMOND OK 73013-6515</p>	<p>7d. Misc. New to system <input type="checkbox"/>      Person ID _____ Add Seq# _____</p>

<p>8. WUR Correspondent New to system <input type="checkbox"/>      Person ID _____ Add Seq# _____ Overlap File (s) WUC Notarized WUC Form <input type="checkbox"/> Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>7a.</b></p>	<p>9. Use of Water:    Changing?    <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No</p> <p style="padding-left: 100px;"><input checked="" type="checkbox"/> Groundwater    <input type="checkbox"/> Surface Water</p> <p><input checked="" type="checkbox"/> IRR    <input type="checkbox"/> REC    <input type="checkbox"/> DEW    <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK    <input type="checkbox"/> SED    <input type="checkbox"/> DOM    <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG    <input type="checkbox"/> WTR PWR    <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____    <input type="checkbox"/> OTHER: _____</p>
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10. Completion Date: **12/31/2018**      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: \_\_\_\_\_

<i>Change App</i>	Date Prepared: <b>6/22/2017</b> By: <b>AM</b> Date Entered: <i>7/17/2017</i> By: <i>UM</i>
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File No. **48,657**      15. Formation Code: **105**      Drainage Basin: **Arkansas River**      County: **SU**      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				NE NE SE	27	32S	2E	1	2015	576 (Geo)	800	208	800	208	49,730
CHK				NE NE SE	27	32S	2E	<del>1</del> 2	2040	495					
CHK				NE NE SE	27	32S	2E	<del>1</del> 3	2290	645					
CHK				SE NE SE	27	32S	2E	<del>1</del> 4	1790	395					
CHK				SW NE SE	27	32S	2E	<del>1</del> 5	1940	770					

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 12/31/2018      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						
CHK				27	32S	2E	2													40	40	40	40	160	7b.	No	49,730		
ENT				27	32S	2E	<del>2</del> 3					40	40	35	40										155	7a.	No	49,730	

Comments:

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

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

**TO:** Files

**DATE:** June 22, 2017

**FROM:** Austin McColloch

**RE:** Appropriation,  
File No. 48,657  
New Application,  
File No. 49,730

Darren Irons, owner of File No. 48,657 has filed an application for approval to change the place of use and a new application to appropriate water for beneficial use, File No. 49,730 for irrigation use. The applications were received on November 14, 2016.

**Change Application File No. 48,657**

The referenced file number do not appear to be abandoned as per K.S.A. 82a-718.

File No. 48,657 is currently authorized 208 acre-feet of groundwater to be diverted at a maximum rate of 800 gallons per minute from a battery of wells with a geographic center located in the Northeast Quarter of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 27, more particularly described as being near a point 2,015 feet North and 576 feet West of the Southeast corner of said section, in Township 32 South, Range 2 East, Sumner County, Kansas. New Application, File No. 49,730 will create a complete overlap in point of diversion and place of use.

The place of use is currently 160 acres in the Southeast Quarter (SE $\frac{1}{4}$ ) of Section 27. This application for change in place of use proposes to add 155 acres located in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 27. This will create an overlap in place of use with New Application, File No. 49,730. The additional acres will be covered by the quantity appropriated under File No. 49,730 thus there is no increase in consumptive use with the proposed change in place of use.

The applicant identified three (3) nearby wells not owned by the applicant located within one-half mile of this existing well. Nearby well owner letters were sent out on April 4, 2017, referencing the proposed change application and new application. No response of any kind has been received.

Based on the above discussion, the change is reasonable, the application complies with consumptive use criteria, approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest. It is recommended that the referenced application be approved to create a complete overlap with New Application, File No. 49,730.

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

July 17, 2017

**FILE COPY**

DARREN IRONS  
2001 WORTHINGTON LN  
EDMOND OK 73013

RE: Appropriation of Water, File No. 48,657

Dear Mr. Irons:

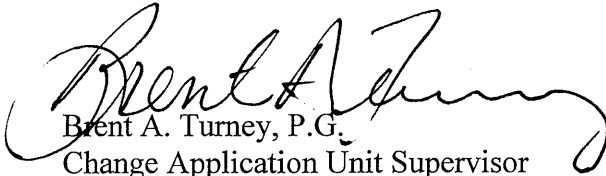
Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the referenced file. Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approval for change.

Since these orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

Please be reminded that reports of water usage must be submitted to this office annually. Records indicating the amount of water used should be furnished to the Chief Engineer by March 1 following the end of the previous calendar year so that the continued use of water becomes a matter of record in this office. The owner, or his or her legally designated agent, is held responsible for submitting annual water use reports. Failure to file an accurate water use report is a violation of law which makes you subject to civil penalties.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,



Brent A. Turney, P.G.  
Change Application Unit Supervisor  
Water Appropriation Program

BAT:am  
Enclosures  
pc: Stafford Field Office

**KANSAS DEPARTMENT OF AGRICULTURE**  
 Jackie McClaskey, Secretary of Agriculture

**DIVISION OF WATER RESOURCES**  
 David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION  
 FOR  
 CHANGE IN PLACE OF USE  
 APPROPRIATION OF WATER  
 FILE NO. 48,657**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Darren Irons, 2001 Worthington Lane, Edmond, Oklahoma 73013, received in the office of the Chief Engineer on November 14, 2016, for approval of a change in the location of the place of use under the Approval of Application and Permit to appropriate water for beneficial use, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the place of use shall be:

Sec. Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
27 32S 2E									40.0	40.0	35.0	40.0	40.0	40.0	40.0	40.0	315.0

a total of 315.0 acres in Section 27, Township 32 South, Range 2 East, Sumner County, Kansas,

located substantially as shown on the topographic map accompanying the application to change the place of use.

All diversion works into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year

In all other respects, the Approval of Application, File No. 48,657, for permit to appropriate water for beneficial use, is as stated and set forth in the Approval of Application and Permit to Proceed dated May 12, 2015.

**RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW**

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 – 6777.

Ordered this 13<sup>th</sup> day of July, 2017, in Topeka, Shawnee County, Kansas.

*Lane P. Letourneau*

Lane P. Letourneau, P.G.  
Program Manager  
Water Appropriation Program  
Division of Water Resources  
Kansas Department of Agriculture

State of Kansas        )  
                                  ) SS  
County of Riley        )

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of July, 2017, by Lane P. Letourneau, P.G., Program Manager, Water Appropriation Program, Division of Water Resources, Kansas Department of Agriculture.



*Danielle Wilson*

Notary Public

**CERTIFICATE OF SERVICE**

On this 17<sup>th</sup> day of July, 2017, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 48,657, dated July 13, 2017 was mailed postage prepaid, first class, US mail to the following:

DARREN IRONS  
2001 WORTHINGTON LN  
EDMOND OK 73013

With photocopies sent to:

Stafford Field Office

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

APPLICATION COMPLETE

6/22/17

Reviewer AM

Submit To: CHIEF ENGINEER  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, Kansas 66502  
http://agriculture.ks.gov/dwr

**APPLICATION FOR APPROVAL TO  
CHANGE THE PLACE OF USE, THE  
POINT OF DIVERSION OR THE USE  
MADE OF THE WATER UNDER AN  
EXISTING WATER RIGHT**



State of Kansas

**Filing Fee Must Accompany the Application**  
(Please refer to Fee Schedule on signature page of application form.)

**Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions.** A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
- Point of Diversion
- Use Made of Water

(Check one or more)

WATER RESOURCES  
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NOV 14 2016

12:51

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File No. 48657

2. Name of applicant: DARREN IRONS

Address: 2001 WORTHINGTON LANE

City, State and Zip: EDMOND, OK 73013

Phone Number: (405) 513-8225 E-mail address: DSI75006@HOTMAIL.COM

What is your relationship to the water right;  owner  tenant  agent  other? If other, please explain. \_\_\_\_\_

Name of water use correspondent: ANGELA IRONS

Address: 2001 WORTHINGTON LANE

City, State and Zip: EDMOND, OK 73013

Phone Number: (405) 513-8225 E-mail address: AI75006@HOTMAIL.COM

3. The change(s) proposed herein are desired for the following reasons (please be specific): \_\_\_\_\_

THE CHANGE IS PROPOSING TO CREATE A COMPLETE PLACE OF USE  
OVERLAP WITH PENDING NEW APPLICATION FILED AT THE SAME TIME AS THE  
CHANGE.

The change(s) (was) (will be) completed by \_\_\_\_\_ (Date)

<b>For Office Use Only:</b>							
F.O. Code	<u>2</u>	GMD	<u>0</u>	Meets K.A.R. 5-5-1	<u>(YES)</u> NO	Use	<u>IRR</u>
			<u>CPU</u>	Fee \$	<u>200</u>	TR #	
Source	<u>G/S</u>	County	<u>SU</u>	By	<u>ASW</u>	Date	<u>11/16/16</u>
Receipt Date	<u>11/14/16</u>	Check #	<u>2307</u>				



4. The presently authorized place of use is:

Owner of Land — NAME: ANGELA IRONS

ADDRESS: 2001 WORTHINGTON LANE, EDMOND, OK 73013

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
27	32S	2E													40	40	40	40	160

List any other water rights that cover this place of use. \_\_\_\_\_

Owner of Land — NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

List any other water rights that cover this place of use. \_\_\_\_\_

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: DARREN+ANGELA IRONS / EMANUEL LLC

ADDRESS: 2001 WORTHINGTON LANE, EDMOND, OK 73013

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
27	32S	2E									40	40	35	40					155

List any other water rights that cover this place of use. PENDING NEW APPLICATION

Owner of Land — NAME: ANGELA IRONS

ADDRESS: 2001 WORTHINGTON LANE, EDMOND, OK 73013

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
27	32S	2E													40	40	40	40	160

List any other water rights that cover this place of use. PENDING NEW APPLICATION WATER RESOURCES RECEIVED

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

NOV 14 2016

6. The presently authorized point(s) of diversion (is) (are) A BATTERY OF WELLS  
(Provide description and number of points)

7. The proposed point(s) of diversion (is) (are) NO CHANGE.  
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**  
 One in the NE Quarter of the NE Quarter of the SE Quarter of Section 27, Township 32 South, Range 2E (EW), in Sumner County, Kansas, 2015 feet North 576 feet West of Southeast corner of section. Authorized Rate 800 GPM Authorized Quantity 208 AF  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed     This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (EW), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section. Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

9. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (EW), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section. Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed     This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (EW), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section. Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

10. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (EW), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section. Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed     This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (EW), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section. Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. N/A  
WATER RESOURCES RECEIVED

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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12. The presently authorized use of water is for IRRIGATION purposes.  
It is proposed that the use be changed to \_\_\_\_\_ purposes. ← *NO CHANGE*

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to \_\_\_\_\_ (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to \_\_\_\_\_ gallons per minute (\_\_\_\_\_ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 ([www.usgs.gov](http://www.usgs.gov)). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

- a. If a change in the location of the point(s) of diversion is proposed, show:
  - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
  - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
  - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

WATER RESOURCES  
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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

KS DEPT OF AGRICULTURE

SCANNED

Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at EDMOND, <sup>OKLAHOMA</sup> ~~Kansas~~, this 4<sup>th</sup> day of NOVEMBER, 20 16.

[Signature]  
\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

DARREN S IRONS  
\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

Angela J. Irons  
\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

Angela D. Irons  
\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

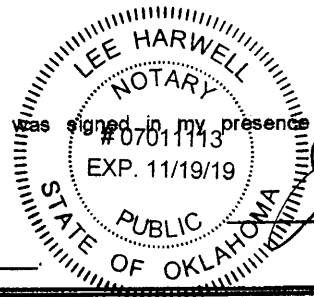
\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

State of Oklahoma }  
County of Oklahoma } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 4<sup>th</sup> day of November, 20 16.



[Signature]  
\_\_\_\_\_  
Notary Public

My Commission Expires 11-19-19

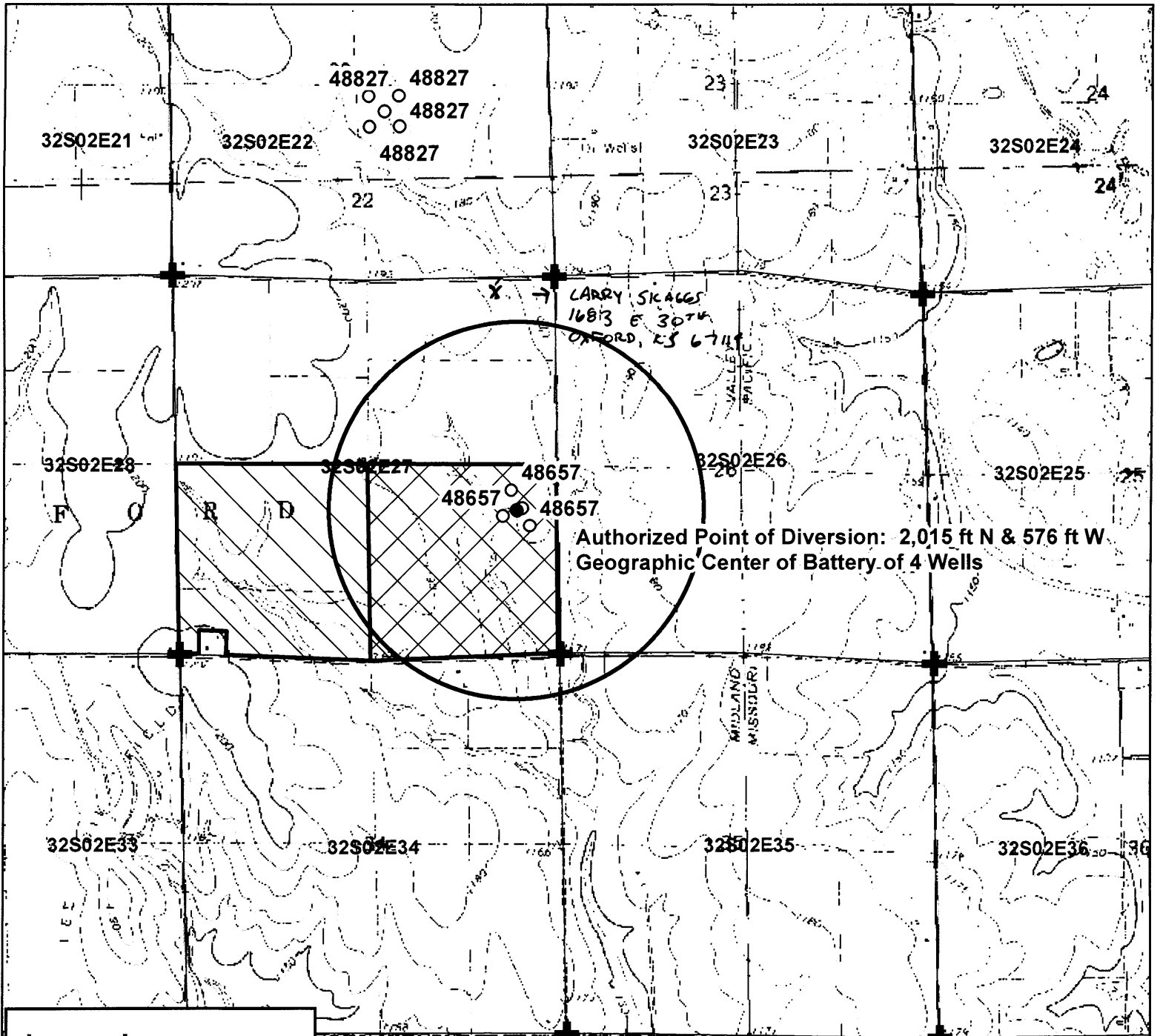
**FEE SCHEDULE**

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (1) Application to change a point of diversion 300 feet or less . . . . . \$100
- (2) Application to change a point of diversion more than 300 feet . . . . . \$200
- (3) Application to change the place of use . . . . . \$200
- (4) Application to change the use made of the water . . . . . \$300

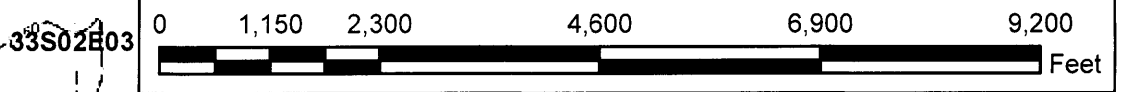
Make check payable to **Kansas Department of Agriculture.**

WATER RESOURCES  
RECEIVED  
NOV 14 2016  
KS DEPT OF AGRICULTURE  
SCANNED



**Legend**

- Water Appropriations
- ☆ Domestic Well
- ✚ Section Corner
- ◻ Half Mile Circle
- ▭ Section Line
- pu**
- ▨ Authorized
- ▩ Proposed



**Water Appropriation, File No. 48657**

Change in Place of Use Application Map  
 Proposed Overlap with File No. \_\_\_\_\_  
 27-32S-2E // Sumner County

WATER RESOURCES RECEIVED

NOV 14 2016



To the best of my knowledge, all of the domestic wells within 1/2 mile of the proposed point of diversion have been shown.

*[Handwritten Signature]*

Signature

KS DEPT OF AGRICULTURE  
**SCANNED**

## McColloch, Austin

---

**From:** Lanterman, Jeff  
**Sent:** Thursday, June 22, 2017 10:43 AM  
**To:** McColloch, Austin; Conant, Cameron  
**Subject:** RE: Recommendation File Nos. 48657 & 49730

Austin;

With the SY fix that looks good. Approve it.

Jeff

---

**From:** McColloch, Austin  
**Sent:** Thursday, May 4, 2017 9:29 AM  
**To:** Conant, Cameron <Cameron.Conant@ks.gov>; Lanterman, Jeff <Jeff.Lanterman@ks.gov>  
**Subject:** RE: Recommendation File Nos. 48657 & 49730

Cameron,

After reviewing your comments, my safe yield calculation has been re-run and confirm the numbers Matt used. I was reading the USGS model wrong and incorrectly placed the PD within the enhanced recharge area. Attached is my revised memo with the correct SY calculation. Although the owner might have difficulty trying to perfect both rights together, impairment to other rights in the area is unlikely. Mr. Irons will just have to see what he actually perfects during the perfection period.

Thanks for catching my mistakes.

Austin McColloch  
Environmental Scientist  
Ph: (785) 564-6643

---

**From:** Conant, Cameron  
**Sent:** Wednesday, May 3, 2017 2:55 PM  
**To:** Lanterman, Jeff <Jeff.Lanterman@ks.gov>; McColloch, Austin <Austin.McColloch@ks.gov>  
**Subject:** FW: Recommendation File Nos. 48657 & 49730

Austin, can you please re look at the SY on this one? Matt called this outside the Lower Ark enhanced recharge area. I looked again at the map we have and agree that this one is outside the Lower Ark area. Per Matt's previous SY analysis, he used 6692 acres, 3.2", and 100% available. Can you please double check this and if you agree that it's outside the Lower Ark area, can you redo your SY analysis and make sure it confirms the numbers Matt used.

The original application had several Premier test logs, the best of which showed 27' of saturated thickness. Based on this log, and the fact that spacing was good to any surrounding wells, the senior application did not have to submit additional information that proved the requested rate and quantity was available from the source. Based on the original log, I think the owner may have a difficult time trying to perfect these 2 rights.

It appears that all nearby wells were notified. There were comments from a domestic well on the senior file, but no comments on this change and new application.

I think both the new application and change in place of use application can be recommended for approval as long as the competing SY analysis between this and the senior file have been cleaned up and are matching.

Jeff, please pass on to Austin if you agree.

Cameron

---

**From:** McColloch, Austin  
**Sent:** Tuesday, April 25, 2017 3:03 PM  
**To:** Lanterman, Jeff <[Jeff.Lanterman@ks.gov](mailto:Jeff.Lanterman@ks.gov)>  
**Cc:** Conant, Cameron <[Cameron.Conant@ks.gov](mailto:Cameron.Conant@ks.gov)>  
**Subject:** Recommendation File Nos. 48657 & 49730

Jeff,

Attached is my draft memo for Change in PU under Appropriation of Water, File No. 48,657 and New Application, File No. 49,730 submitted by Darren Irons. The change in PU and New App are creating a complete overlap with each other to include the SW¼ of his property. Let me know if you need additional information.

Thanks,

Austin McColloch  
Environmental Scientist  
Ph: (785) 564-6643



1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700

900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

April 4, 2017

**FILE COPY**

NOFSINGER-WIENS, CHRYLE; ETAL  
11110 W CORNELISON ST  
WICHITA KS 67212

Re: New Application, File No. 49,730  
Change Application, File No. 48,657

Dear Sir or Madam:

This is to advise you that Darren Irons has filed the application referred to above for permit to appropriate 201.5 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a battery of wells with a geographic center located as follows:

a battery of four (4) wells a geographic center located in the Northeast Quarter of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 27, more particularly described as being near a point 2,015 feet North and 576 feet West of the Southeast corner of said section, in Township 32 South, Range 2 East, Sumner County, Kansas.

Darren Irons has also filed with the Division of Water Resources, Kansas Department of Agriculture, an application to change the place of use pursuant to Appropriation of Water, File No. 48,657. The applicant proposes to change the authorized place of use from 160 acres in Section 27, Township 32 South, Range 2 East to 315 acres in Section 27, Township 32 South, Range 2 East, Sumner County, Kansas.

A copy of an aerial photograph depicting the location of the proposed point of diversion and place of use is also enclosed. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location(s) of the applicant's point(s) of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office within 15 days from the date of this letter.

If you have any questions, please contact me at (785) 564-6643. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Austin J. McColloch  
Environmental Scientist  
Water Appropriation Program

Enclosure(s)  
pc: Stafford Field Office

SCANNED





1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700

900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

April 4, 2017

EDWARDS, DONALDA R; REV TR  
3820 ATHENIAN ST  
WICHITA KS 67204

**FILE COPY**

Re: New Application, File No. 49,730  
Change Application, File No. 48,657

Dear Sir or Madam:

This is to advise you that Darren Irons has filed the application referred to above for permit to appropriate 201.5 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a battery of wells with a geographic center located as follows:

a battery of four (4) wells a geographic center located in the Northeast Quarter of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 27, more particularly described as being near a point 2,015 feet North and 576 feet West of the Southeast corner of said section, in Township 32 South, Range 2 East, Sumner County, Kansas.

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If you have any questions, please contact me at (785) 564-6643. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Austin J. McColloch  
Environmental Scientist  
Water Appropriation Program

Enclosure(s)  
pc: Stafford Field Office

SCANNED

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Manhattan, Kansas 66502  
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900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

April 4, 2017

**FILE COPY**

SKAGGS, LARRY E JR & AMY J  
1683 E 30TH ST S  
OXFORD, KS 67119

Re: New Application, File No. 49,730  
Change Application, File No. 48,657

Dear Sir or Madam:

This is to advise you that Darren Irons has filed the application referred to above for permit to appropriate 201.5 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a battery of wells with a geographic center located as follows:

a battery of four (4) wells a geographic center located in the Northeast Quarter of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 27, more particularly described as being near a point 2,015 feet North and 576 feet West of the Southeast corner of said section, in Township 32 South, Range 2 East, Sumner County, Kansas.

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If you have any questions, please contact me at (785) 564-6643. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Austin J. McColloch".

Austin J. McColloch  
Environmental Scientist  
Water Appropriation Program

Enclosure(s)  
pc: Stafford Field Office

SCANNED

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

November 16, 2016

DARREN IRONS  
2001 WORTHINGTON LANE  
EDMOND, OK

RE: File No. 48657

**FILE COPY**

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use            PU
- point of diversion
- use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

**Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.**

**(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...**

**A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.**

If you have any questions, please contact me at (785) 564-6645. 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 cursive script that reads "Brent A. Turney".

Brent A Turney, L.G.  
Change Applications Unit Supervisor  
Water Appropriation Program

BAT: dlw

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

---

Jackie McClaskey, Secretary

Governor Sam Brownback

pc: STAFFORD Field Office GMD