

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/U UMW WORKSHEET

Document Signature _____

1. File Number: 7493	2. Status Change Date: <i>2/17/2017</i>	3. Change Num: C1	4. Field Office: 02	5. GMD:
6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 06-SEP-2016
8a. Applicant(s) New to system <input type="checkbox"/> CITY OF WICHITA PARKS & RECREATION OAK PARK LILY POND 455 N MAIN ST WICHITA KS 67202-1600		Person ID 1480 Add Seq# 5	8c. Landowner(s) New to system <input type="checkbox"/> CITY OF WICHITA PARKS & RECREATION OAK PARK STONE ARCH 455 N MAIN ST WICHITA KS 67202-1600 (NO CHANGE)	
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____	8d. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____	
8e. WUC New to system <input type="checkbox"/>		Person ID 1480 Add Seq# 5	CITY OF WICHITA PARKS & RECREATION OAK PARK LILY POND 455 N MAIN ST WICHITA KS 67202-1600 (NO CHANGE)	
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/17 <input type="checkbox"/> N & P Date to Comply: _____				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: IRR AND REC To: REC				
Date Prepared: 02/14/17 By: RAK Date Entered: <i>2/20/2017</i> By: <i>UM</i>				

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
MEMORANDUM

TO: Files
FROM: Brent A. Turney

DATE: February 14, 2017
RE: Water Right
File No. 7,493

Larry D. Hoetmer, on behalf of the City of Wichita Parks and Recreation, filed an application for approval to change the place of use and use made of water from irrigation and recreation use to solely recreation use.

The referenced file number is not abandoned pursuant to K.S.A. 82a-718.

File No. 7,493 is authorized 44 acre-feet at a diversion rate of 350 gallons per minute for irrigation use and 4 acre-feet of water at a diversion rate of 55 g.p.m. for recreational use, limited to 350 g.p.m. for irrigation and recreational use combined. The irrigation place of use is 32 acres in Sections 17 and 18, Township 27 South, Range 1 East, Sedgwick County and the recreational place of use is a pond located in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of the same Section 17, all at Oak Park in the City of Wichita. There are no present overlaps. The referenced file number is no longer used for irrigation use so the water right owner proposes to convert the 44 acre-feet authorized for irrigation use to solely recreation use for filling a series of existing ponds and water features located in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 17 and the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 18, all within the place of use now authorized by File No. 7,493. An incomplete overlap in the place of use will exist with Water Right, File No. 45,802 in Section 18 because the series of water ponds and features are gravity fed and File No. 45,802 cannot supply water upgradient to the entire place of use.

A K.A.R. 5-5-9 calculation performed on the irrigation portion of File No. 7,493 suggests that the irrigation quantity should be reduced from 44 acre-feet to 32.48 acre-feet of water. However, additional information about the recreation use indicates that water is first pumped into a lined pond then flows downgradient through an unlined channel into another smaller lined pond. A review of the Sedgwick County soil survey for the area indicates a seepage rate of 2 to 6 inches per hour through approximately 0.5 acres of unlined channel. Although there is potentially a larger surface area, with more evaporation and therefore more consumptive use taking place, there will also be more seepage or non-consumptive use. It seems reasonable to assume that net consumptive use will not increase substantially since the perfection period so no reduction in quantity appears necessary to comply with K.A.R. 5-5-9. The additional rate limitation will be removed and the feet distances of the authorized point of diversion will be better described with G.P.S. feet distances.

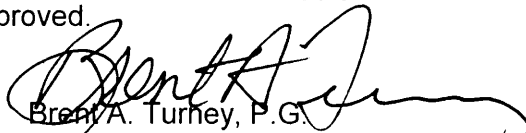
Nearby well owners within one half-mile of the authorized point of diversion were not notified of the proposed change since there is essentially no change in the place of use and no new uses of water being proposed under File No. 7,493.

The same local source of supply will remain the same, which appears to be Main Stem Alluvium (113).

In an e-mail dated February 9, 2017 Jeff Lanterman, Water Commissioner of the Stafford Field Office, recommended approval of the referenced application.

A water flow meter and a check valve are required, if chemigating.

Based on the above discussion, that the changes are reasonable, that impairment to existing water rights is unlikely, and that no change in the local source of supply will occur, it is recommended that the referenced application be approved.


Brent A. Turney, P.G.
Change Application Unit Supervisor

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

February 20, 2017

CITY OF WICHITA PARKS & RECREATION
OAK PARK LILY POND
ATTN LARRY D HOETMER
455 N MAIN ST
WICHITA KS 67202-1600

FILE COPY

RE: Water Right, File No. 7,493

Dear Mr. Hoetmer:

Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number. Please return the required notification of completion of the installation of the required meter as soon as these actions are completed.

Since the order for the referenced file number modifies the original document referred to above it should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions, please contact this office. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

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

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 AND
USE MADE OF WATER AND
ORDER REMOVING THE
ADDITIONAL DIVERSION RATE LIMITATION
AND BETTER DESCRIBING THE LOCATION OF THE
AUTHORIZED POINT OF DIVERSION
WATER RIGHT
FILE NO. 7,493**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Larry D. Hoetmer, on behalf of the City of Wichita Parks and Recreation, Oak Park Lily Pond, 455 North Main Street, Wichita, Kansas, 67202-1600, received in this office on September 6, 2016, for approval of a change in the location of the place of use and the use made of water under the certificate of appropriation issued pursuant to the application for 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.

This order removes the additional limitation on the authorized diversion rate as set forth by the Certificate of Appropriation pursuant to File No. 7,493, issued February 12, 1990.

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

Recreational Use,

and the authorized location of the place of use shall be:

a series of ponds and water features located in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 17 and in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 18, all in Township 27 South, Range 1 East, Sedgwick County, Kansas,

located substantially as shown on the map accompanying the application to change the place of use and use made of water, and a more precise description of the authorized location of the point of diversion shall be:

one (1) well located in the Southwest Quarter of the Northwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 17, more particularly described as being near a point 4,362 feet North and 5,192 feet West of the Southeast corner of said section, in Township 27 South, Range 1 East, Sedgwick County, Kansas, at a diversion rate not in excess of 350 gallons per minute (0.78 c.f.s.) and in a quantity not to exceed 48 acre-feet of groundwater per calendar year.

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 Certificate of Appropriation issued pursuant to Approval of Application, File No. 7,493, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated February 12, 1990.

This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

Request for Hearing. According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

Petition for Review. Any person aggrieved by this Summary Order may petition for administrative review, pursuant to K.S.A. 82a-708b(a) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

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 17th day of February, 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 17th day of February, 2017, by Lane P. Letourneau, P.G., Program Manager, Water Appropriation Program, Division of Water Resources, Kansas Department of Agriculture.

Danielle Wilson
Notary Public



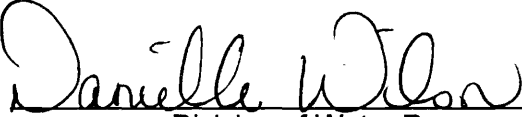
CERTIFICATE OF SERVICE

On this *20th* day of *February*, *2017*, I hereby certify that the foregoing Approval of Application for Change in Place of Use and Use Made of Water, File No. 7,493, dated *February 17, 2017* following: was mailed postage prepaid, first class, US mail to the

CITY OF WICHITA PARKS & RECREATION
OAK PARK LILY POND
ATTN LARY D HOETMER
455 N MAIN ST
WICHITA KS 67202-1600

With photocopies to:

Stafford Field Office


Division of Water Resources

AV1644274

17229 L.D.H.

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.

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12:31
KS DEPT OF AGRICULTURE

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

- Place of Use
- (Check one or more) Point of Diversion
- Use Made of Water

File No. 7493

2. Name of applicant: City of Wichita

Address: 455 N Main St

City, State and Zip: Wichita KS 67202-1600

Phone Number: (316)268-4179 E-mail address: _____

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

Name of water use correspondent: City of Wichita Parks & Recreation

Address: Oak Park Lily Pond, 455 N Main St

City, State and Zip: Wichita KS 67202-1600

Phone Number: (316) 268-4179 E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): Water is no longer used for irrigation, only recreation. In addition, the recreation use has increased in recently. By converting water to recreation, this file can be brought into compliance regarding overpumping.

The change(s) were completed by UPON COMPLETION OF THE CHANGE
(Date)

For Office Use Only:						
F.O. <u>2</u>	GMD <u>C-2</u>	Meets K.A.R. 5-5-1 <u>(YES) NO</u>	Use <u>IRR/REF</u> Source <u>G/S</u> County <u>SG</u>	By <u>AW</u>	Date <u>9/6/16</u>	
Code _____	Fee \$ <u>500</u>	TR # _____	Receipt Date <u>9/6/16</u>	Check # <u>647394</u>		

1 13 17
RAIC

SCANNED

9/7/2016 UM

4. The presently authorized place of use is:

Owner of Land — NAME: City of Wichita Parks & Recreation

ADDRESS: Oak Park Lily Pond, 455 N Main St, Wichita KS 67202-1600

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	
17	27S	1E						12	2									14	
* 18	27S	1E	16	2														18	
17	27S	1E	Recreation use in a pond located in the NW NW																

List any other water rights that cover this place of use. none

* Mod. C. of P. W. R. 9/29/16

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: City of Wichita Parks & Recreation

ADDRESS: Oak Park Lily Pond, 455 N Main St, Wichita KS 67202-1600

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	
17	27S	1E	Recreation use in a series of ponds and water features located in the NW NW																
18	27S	1E	Recreation use in a series of ponds and water features located in the NE NE																

List any other water rights that cover this place of use. 45802* (complete overlap in pond in Section 18 only)

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. none

WATER RESOURCES RECEIVED

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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- 6. The presently authorized point(s) of diversion is one well and diversion system
(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 SW Quarter of the NW Quarter of the NW Quarter of Section 17, Township 27 South, Range 1 E, in Sedgwick County, Kansas, 4,500 feet North 5,150 feet West of Southeast corner of section.
 Authorized Rate 55 gpm--REC; 350 gpm--IRR limited Authorized Quantity 4 AF--REC; 44 AF--IRR
 (DWR use only: Computer ID No. 2 GPS 4,362 feet North 5,192 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 SW Quarter of the NW Quarter of the NW Quarter of Section 17, Township 27 South, Range 1 E, in Sedgwick County, Kansas, 4,362* feet North 5,192* feet West of Southeast corner of section.
 Proposed Rate 350 gpm Proposed Quantity 32.48 AF *per GPS coordinates—Not a P/D Change
 This point is: Additional Well Geo Center List other water rights that will use this point none ** remove rate limitation

9. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), 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 _____ (E/W), 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 _____ (E/W), 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 _____ (E/W), 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

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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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** N/A 2/14/17

12. The presently authorized use of water is for Irrigation & Recreation purposes.

It is proposed that the use be changed to Recreation purposes.

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

base acres = 32 acres 50% NIR for Sedgwick County = 0.89'

* See E-mail / Map

50% NIR x base acres = amount to be converted from Irrigation to recreation

E Fitch Staffed FC

32 acres x 0.89' = 28.48 AF

1-13-17

With 4 AF already permitted for recreation, this will provide a total of 32.48 AF for recreational use from this well.

(Please show any calculations here.)

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

15. It is requested that the maximum rate of diversion of water be reduced to N/A 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). 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.

No impairment is anticipated as the consumptive use will not be increase and no changes are being made to the well

location.

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.

No waivers are anticipated

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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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* Mark/Don 2/14/17

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.

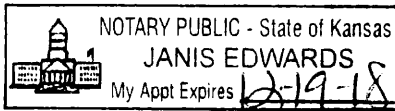
If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

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 WICHITA, Kansas, this 25 day of AUGUST, 20 16.

 _____ (Owner)	_____ (Spouse)
<u>LARRY D. HOETMER</u> _____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)

State of Kansas }
County of Sedgewick } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 25th day of August, 20 16.

My Commission Expires 12-19-18



Notary Public

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.**

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Buggs, Abbey

From: Hoetmer, Larry
Sent: Thursday, August 25, 2016 3:05 PM
To: Buggs, Abbey
Subject: FW: file no. 7493-REC

From: Fitch, Elizabeth [mailto:Elizabeth.Fitch@ks.gov]
Sent: Thursday, August 25, 2016 3:04 PM
To: Hoetmer, Larry <LHoetmer@wichita.gov>; Turner, Evelyn <ETurner@wichita.gov>
Cc: McCoskey, Warren <WMcCoskey@wichita.gov>; Grissom, Lisa <LGrissom@wichita.gov>
Subject: RE: file no. 7493-REC

Larry,

Thanks for the heads up. I let headquarters know these applications will be coming their way.

Elizabeth K Fitch, Environmental Scientist
Kansas Department of Agriculture
Division of Water Resources
Stafford Field Office
(620) 234-5311
My e-mail address has changed: elizabeth.fitch@ks.gov
agriculture.ks.gov

From: Hoetmer, Larry [mailto:LHoetmer@wichita.gov]
Sent: Thursday, August 25, 2016 2:42 PM
To: Fitch, Elizabeth; Turner, Evelyn
Cc: McCoskey, Warren; Grissom, Lisa
Subject: RE: file no. 7493-REC

Elizabeth, the checks will likely go out next week. We have submitted the paperwork to Finance. I originally thought it would be this week, but it's more likely to occur next week.

Thanks for your patience.

Larry

From: Fitch, Elizabeth [mailto:Elizabeth.Fitch@ks.gov]
Sent: Thursday, August 25, 2016 1:07 PM
To: Hoetmer, Larry <LHoetmer@wichita.gov>
Cc: McCoskey, Warren <WMcCoskey@wichita.gov>
Subject: RE: file no. 7493-REC

Larry,

I checked and I believe we are okay with not filing the change I sent you for File No. 45802.

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Krueger, Richelle

From: Fitch, Elizabeth
Sent: Monday, January 23, 2017 8:23 AM
To: Krueger, Richelle
Subject: FW: Giants Bathtub pond
Attachments: Giants Bathtub pond.pdf

This is for the change for File No. 7493 for the City of Wichita. Let me know if you need anything else for this file. I have not printed this out or put it into Docuware.

Elizabeth

From: Hoetmer, Larry [mailto:LHoetmer@wichita.gov]
Sent: Friday, January 13, 2017 10:36 AM
To: Fitch, Elizabeth <Elizabeth.Fitch@ks.gov>
Subject: FW: Giants Bathtub pond

Elizabeth, so sorry you waited so long. We have so many things going on up here these days with new projects, etc.

Hope this works!

Larry

From: Long, Jan
Sent: Friday, January 13, 2017 10:02 AM
To: Hoetmer, Larry <LHoetmer@wichita.gov>
Subject: Giants Bathtub pond

Corrected title to Oak "Park" Pond

Jan

Jan Long | Administrative Assistant
Park & Recreation Department | City of Wichita
11th Floor, 455 N. Main | Wichita, KS 67202
CELL 316.393.0544 | jlong@wichita.gov

Krueger, Richelle

From: Lanterman, Jeff
Sent: Thursday, February 9, 2017 4:33 PM
To: Krueger, Richelle
Cc: Conant, Cameron; Fitch, Elizabeth; Turney, Brent
Subject: RE: Request for Recommendation Change in PU UMW File No. 7493 City of Wichita Parks and Rec

Richelle;

We looked this over and don't have any reservations. The seepage calculations you used appear to me to be reasonable.

Approve it.

Jeff

From: Krueger, Richelle
Sent: Tuesday, January 31, 2017 10:12 AM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Cc: Conant, Cameron <Cameron.Conant@ks.gov>; Fitch, Elizabeth <Elizabeth.Fitch@ks.gov>; Turney, Brent <Brent.Turney@ks.gov>
Subject: Request for Recommendation Change in PU UMW File No. 7493 City of Wichita Parks and Rec

Hi Jeff,
Attached is a draft memo for the referenced change in pu and umw, do you recommend approval?
Thanks,
Richelle

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

FILE COPY

August 15, 2016

CITY OF WICHITA
455 N MAIN ST
WICHITA, KS 67202

RE: File No. 7493

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/UMW
- 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.

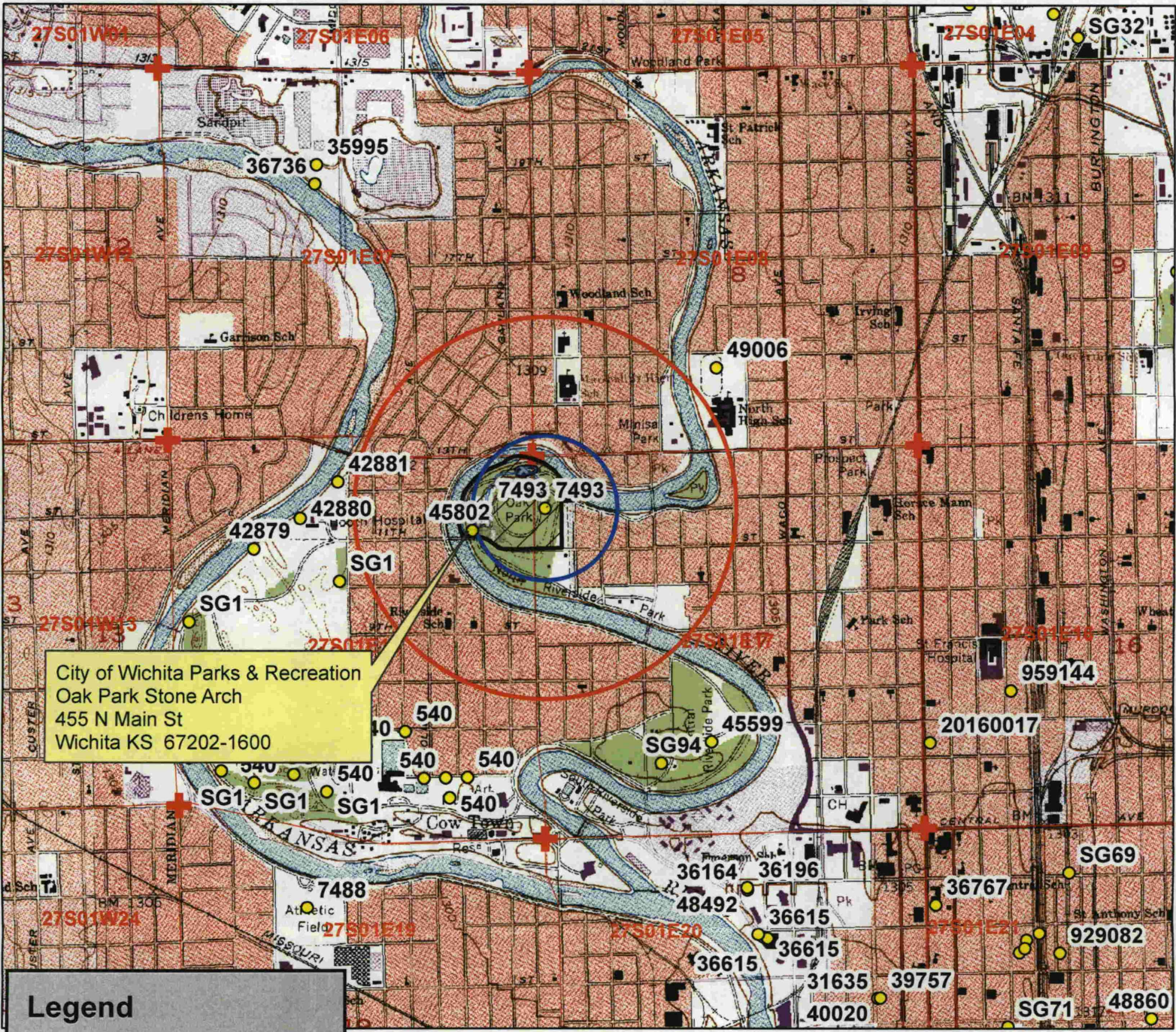
Sincerely,

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
pc: STAFFORD Field Office GMD

SCANNED

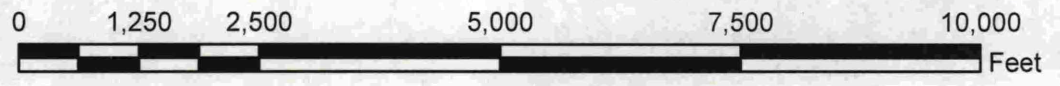


Legend

- Water Appropriations
- + Section Corner
- Section Line
- 1,000 foot radius
- Half Mile Radius

Place of Use

- Authorized--Irrigation
- Authorized--Recreation
- Proposed--Recreation



Water Right, File No. 7493
 Change in Use Made of Water and
 Change in Place of Use Application Map
 17 & 18-27S-1E // Sedgwick County

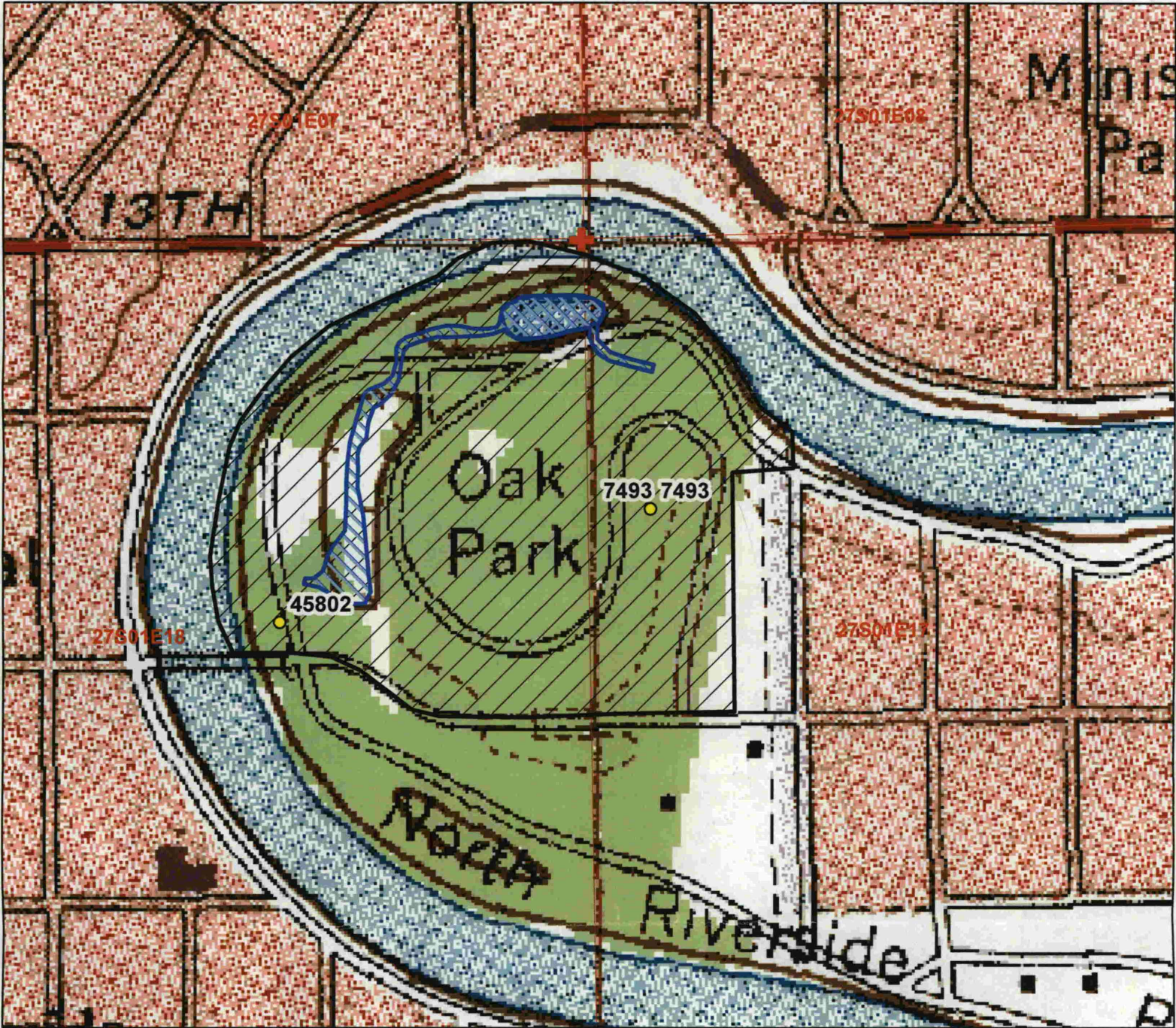
WATER RESOURCES
 RECEIVED
 SEP 06 2016
 KS DEPT OF AGRICULTURE

Due to the concentration of domestic wells within 1/2 mile,
 it is requested that assistance be provided in issuing a public notice.

[Handwritten Signature]
 Signature

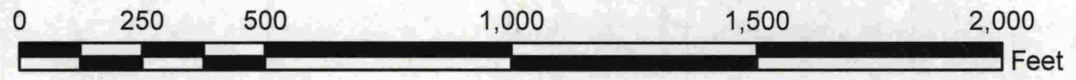
08/25/16

SCANNED



Legend

- Water Appropriations
- + Section Corner
- Section Line
- Place of Use**
- Authorized--Irrigation
- Authorized--Recreation
- Proposed--Recreation



Water Right, File No. 7493

Change in Use Made of Water and
Change in Place of Use

Zoomed In Application Map

17 & 18-27S-1E
Sedgwick County

WATER RESOURCES RECEIVED

SEP 06 2016

KS DEPT OF AGRICULTURE



SCANNED

8/17/16 EKF-SFFO

Oak Park Pond Water Right, File No. 7493

Lined vs. Unlined Features

