

Kansas Department of Agriculture
Division of Water Resources
PERMIT OF NEW APPLICATION WORKSHEET

1. File Number: 49,753	2. Status Change Date: 5/15/2019	3. Field Office: 02	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

7a. Applicant(s) Person ID 1480
 New to system Add Seq# seq 21
City of Wichita Parks & Rec
BOARD OF PARK COMMISSIONERS
455 N MAIN ST
WICHITA KS 67202-1600

7b. Landowner(s) Person ID _____
 New to system Add Seq# _____

7a

7c. Landowner(s) Person ID _____
 New to system Add Seq# _____

7d. Landowner Person ID _____
 New to system Add Seq# _____

8. WUR Correspondent Person ID _____
 New to system Add Seq# _____
 Overlap File (s) WUC Notarized WUC Form
 Agree Yes No

7b

9. Use of Water: Changing? Yes No

Groundwater Surface Water

IRR REC DEW MUN

STK SED DOM CON

HYD DRG WTR PWR ART RECHRG

IND SIC: _____ OTHER: _____

10. Completion Date: 12/31/2020 11. Perfection Date: 12/31/2024 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: _____

Date Prepared: **4/2/19** By: **MJM**
 Date Entered: **5/20/2019** By: **WM**

File No. **49,753** 15. Formation Code: **100** Drainage Basin: **Arkansas River (Lower Ark)** County: **SG** 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	
✓				85841 NW NW SE	5	28S	1E	3	2230	2000			Nat Evap	66.7	Nat Evap	66.7

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						
✓			68183	5	28S	1E	3																					N	

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

MEMORANDUM

TO: Files

DATE: January 4, 2019

FROM: Matt Meier

RE: Application, File No. 49,753

The Board of Park Commissioners has filed the referenced application to appropriate groundwater for recreational use. The applicant is requesting a quantity of 66.7 acre-feet at the rate of natural evaporation from a groundwater pit. The geographic center of the groundwater pit is located in the Northwest Quarter of the Northwest Quarter of the Southeast Quarter (NW¼ NW¼ SE¼) of Section 5, more particularly described as being near a point 2,230 feet North and 2,000 feet West of the Southeast corner of said section, in Township 28 South, Range 1 East, Sedgwick County, within the Arkansas River drainage basin. There are no overlapping water rights on the proposed point of diversion and place of use. This application is to cover an existing illegal groundwater pit which was constructed in 1938.

In 2004 the United States Geological Survey (USGS) completed a hydrologic model of a portion of the Arkansas River and associated drainage basins (Ninnescah River), generally bounded by Ranges 2 West to 3 East and Townships 26 South to 34 South (near state line). The USGS model indicated that the aquifer in this area receives more recharge from precipitation than DWR has historically used in safe yield calculations. The data and analyses are detailed in the USGS Scientific Investigations Report 2004-5204 entitled "Characterization and Simulation of Flow in the Lower Arkansas River Alluvial Aquifer, South-Central Kansas". In order to evaluate the potential impact of this study on our safe yield calculations, DWR suspended processing applications for new appropriations of water in the model area.

DWR recently completed an evaluation of the USGS model and has determined that the precipitation recharge value of 5.4 inches per year that is used in the USGS model is reasonable and appropriate. In order to reserve water in the alluvial aquifers that can contribute to base flow to area streams and for domestic use, it was determined that 75 percent of the 5.4 inches of precipitation recharge shall be available for appropriation. This is consistent with safe yield appropriation in many other basins across the state, and is the current percent available in for all applications in the Ninnescah River drainage basin. Therefore, for all pending applications within the model area, safe yield will be evaluated using the standard methodology in K.A.R. 5-3-11, which is based on the extent of the unconfined aquifer (area of consideration), a Potential Annual Recharge value of 5.4 inches, and a percent of recharge available for appropriation of 75%. Current annual recharge across the model area is approximately 3 inches.

Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within a two-mile circle radius of the point of diversion, which establishes the area of consideration. Evaluation of the area of consideration included the extent of the unconfined aquifer, which provided an area of consideration of 8,042 acres. With a potential annual recharge of 5.4 inches, and 75% of recharge available for appropriation, safe yield was determined to be 2,714.18 acre-feet. Existing water rights have appropriated 1042.62 acre-feet, providing a difference of 1671.72 acre-feet available for appropriation, and the application requesting 66.7 acre-feet complies with safe yield.

The quantity of water requested for the application (66.7 acre-feet) was based on a pit surface area not to exceed 40 acres in size, as follows: 40 acres x 20 inches of evaporation / 12"/foot = 66.7 acre-feet. There are multiple pending applications in this general area of the state, and they are being worked in priority order to ensure that senior applications are provided the available water.

The applicant identified zero domestic wells within one-half mile of the proposed groundwater pit and 1 non-domestic wells/groundwater pits, which WRIS confirmed. Nearby notification letters were sent out on February 14, 2019. No response of any kind was received. According to the WRIS database, the nearest non-domestic point of diversion (File No. 7490) is located 2,524 feet away. The nearest domestic well would be over 680 feet away (Geo-Center to the edge of nearest road) although likely further. The proposed point of diversion meets minimum well spacing to all existing wells. Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be one-quarter mile to all other non-domestic wells and 660 feet to domestic wells. The groundwater pit has been in place since 1938 with no complaints and the application is to cover evaporation only losses.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed.

The proposed application is subject to minimum desirable streamflow requirements. The applicant signed, notarized, and returned the required form to our office on February 19, 2019.

Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of the referenced application on April 2, 2019. Based on the above discussion, well spacing and safe yield criteria are met, and 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.

Matthew J. Meier
Environmental Scientist
Water Appropriations Unit

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

BOARD OF PARK COMMISSIONERS
455 N MAIN ST
WICHITA KS 67202

May 23, 2019

FILE COPY

RE: Application, File No. 49,753

Dear Water User:

There is enclosed a permit to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this permit.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed.

All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right. If you have any questions, please contact our office. If you wish to discuss this specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

Enclosures

pc: Stafford Field Office

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
and
PERMIT TO PROCEED**

(This is not a Certificate of Appropriation)

This is to certify that I have examined Application File No. **49,753** of the applicant

**BOARD OF PARK COMMISSIONERS
455 N MAIN ST
WICHITA KS 67202**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **January 11, 2017**.
2. That the water sought to be appropriated shall be used for recreational use to replace evaporation losses from one (1) groundwater pit with a maximum surface area of 40 acres located in the in the East Half (E½) of Section 5, in Township 28 South, Range 1 East, Sedgwick County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) groundwater pit with a geo-center which is located in the Northwest Quarter of the Northwest Quarter of the Southeast Quarter (NW¼ NW¼ SE¼) of Section 5, more particularly described as being near a point 2,230 feet North and 2,000 feet West of the Southeast corner of said section, in Township 28 South, Range 1 East, Sedgwick County, located substantially as shown on the map accompanying the application.
4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **natural evaporation** and to a quantity not to exceed **66.7 acre-feet** of water for any calendar year.
5. That installation of works for diversion of water shall be completed on or before **December 31, 2020** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee, which is currently \$400.00, when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.
6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2024** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

12. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

13. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

14. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

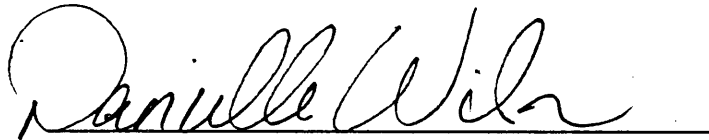
CERTIFICATE OF SERVICE

On this *23rd* day of *May*, 2019, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,753, dated *May 15th, 2019* was mailed postage prepaid, first class, US mail to the following:

BOARD OF PARK COMMISSIONERS
455 N MAIN ST
WICHITA KS 67202

With photocopies to:

Stafford Field Office



Division of Water Resources

THE STATE OF KANSAS



4-2-19
APPLICATION COMPLETE
2-19-19
Reviewer MON/SP/00

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

WATER RESOURCES RECEIVED

File Number 49753
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

JAN 11 2017
10:34
KS DEPT OF AGRICULTURE

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule attached to this application form.)

JAN 03 2017 PRIORITY
UNACCEPTABLE FOR PRIORITY
12:43
KS DEPT OF AGRICULTURE

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,
1320 Research Park Drive, Manhattan, KS 66502:

- Name of Applicant (Please Print): BOARD OF PARK COMMISSIONERS
Address: 455 N. Main St.
City: WICHITA State: KS Zip Code: 67202
Telephone Number: (316) 268-4361
- The source of water is: surface water in _____ (stream)
OR groundwater in ARKANSAS RIVER (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

- The maximum quantity of water desired is 66.7 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of NE gallons per minute OR _____ cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

- The water is intended to be appropriated for (Check use intended):

(a) <input type="checkbox"/> Artificial Recharge	(b) <input type="checkbox"/> Irrigation	(c) <input checked="" type="checkbox"/> Recreational	(d) <input type="checkbox"/> Water Power
(e) <input type="checkbox"/> Industrial	(f) <input type="checkbox"/> Municipal	(g) <input type="checkbox"/> Stockwatering	(h) <input type="checkbox"/> Sediment Control
(i) <input type="checkbox"/> Domestic	(j) <input type="checkbox"/> Dewatering	(k) <input type="checkbox"/> Hydraulic Dredging	(l) <input type="checkbox"/> Fire Protection
(m) <input type="checkbox"/> Thermal Exchange	(n) <input type="checkbox"/> Contamination Remediation		

YOU **MUST** COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

For Office Use Only:										
F.O. <u>2</u>	GMD <u>0</u>	Meets K.A.R. 5-3-1 (YES/NO) <u>(YES)</u>	Use <u>REC</u>	Source <u>G/S</u>	County <u>SG</u>	By <u>ASW</u>	Date <u>1/11/17</u>			
Code _____	REG _____	Fee \$ <u>200</u>	TR # _____	Receipt Date <u>1/17/17</u>	Check # <u>65379</u>					

SCANNED
1/12/2017 ULM

5. The location of the proposed wells, pump sites or other works for diversion of water is:

Note: For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

- (A) One in the NW quarter of the NW quarter of the SE quarter of Section 5, more particularly described as being near a point 2,230 feet North and 2,000 feet West of the Southeast corner of said section, in Township 28 South, Range 1 EAST, SEDGWICK County, Kansas.
- (B) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (C) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

6. The owner of the point of diversion, if other than the applicant is (please print):

(name, address and telephone number)

(name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, 20____. [Signature] 11/9/17
Applicant's Signature

7. The proposed project for diversion of water will consist of GROUNDWATER PIT
(number of wells, pumps or dams, etc.)
and was completed in 1938 _____
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be Spring 2017_____
(Mo/Day/Year)

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WATER RESOURCES
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JAN 11 2017

UNACCEPTABLE FOR PRIORITY

SCANNED

9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?

Yes No If "yes", a check valve shall be required.

All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources? Yes No

- If yes, show the Water Structures permit number here _____
- If no, explain here why a Water Structures permit is not required _____

Groundwater Pit _____

11. The application must be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:

(a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.

(b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.

(c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.

(d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.

(e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

NONE. _____

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KS DEPT OF AGRICULTURE

WATER RESOURCES
RECEIVED

JAN 03 2017

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KS DEPT OF AGRICULTURE

SCANNED

13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from: Test holes Well as completed Drillers log attached

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	_____	_____	_____	_____
Total depth of well	_____	_____	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	_____	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

14. The relationship of the applicant to the proposed place where the water will be used is that of owner
(owner, tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

(name, address and telephone number)

(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at Wichita, Kansas, this 2nd day of December 2016,
(month) (year)

_____ (Applicant Signature)	_____ APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)
By <u>Troy Houtman</u> <u>12/2/16</u> (Agent or Officer Signature)	_____ and/or APPLICANT(S) TAXPAYER I.D. NO.(S)
<u>Troy Houtman</u> (Agent or Officer - Please Print)	

Assisted by DWS TFO Date: 11/17/2016
(office/title)

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JAN 03 2017
UNACCEPTABLE FOR PRIORITY

KS DEPT OF AGRICULTURE

SCANNED

RECREATIONAL USE SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): BOARD OF PARK COMMISSIONERS

1. Please indicate type of recreational use (boating, fishing, swimming, etc.): _____
FISHING AND BOATING

2. Please summarize how the water will be used and justify the quantity of water requested: _____
40 SURFACE ACRE LAKE X 20" EVAP / 12 = 66.7 ACRE-FEET

3. Please complete the following table showing estimated future water requirements:

ESTIMATED FUTURE WATER DIVERTED/STORED	
NEXT 5 YEARS	WATER TO BE DIVERTED (ACRE-FEET OR GALLONS)
Year 1	66.7
Year 2	
Year 3	
Year 4	
Year 5	66.7

Please attach any additional information, tables, or curves showing past, present and estimated future water requirements to substantiate the amount of water requested.

4. Please designate the legal description of the location where the water is to be used by providing the fractional part of the Section, Township and Range.

EAST HALF OF SECTION 5, T28S, R1E

You may attach any additional information you believe will assist in informing the Division of the need for your request.

**WATER RESOURCES
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**WATER RESOURCES
RECEIVED**

JAN 11 2017

UNACCEPTABLE JAN 08 2017 PRIORITY

SCANNED

Draft

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: January 4, 2019

FROM: Matt Meier

RE: Application, File No. 49,753

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DWR recently completed an evaluation of the USGS model and has determined that the precipitation recharge value of 5.4 inches per year that is used in the USGS model is reasonable and appropriate. In order to reserve water in the alluvial aquifers that can contribute to base flow to area streams and for domestic use, it was determined that 75 percent of the 5.4 inches of precipitation recharge shall be available for appropriation. This is consistent with safe yield appropriation in many other basins across the state, and is the current percent available in for all applications in the Ninnescah River drainage basin. Therefore, for all pending applications within the model area, safe yield will be evaluated using the standard methodology in K.A.R. 5-3-11, which is based on the extent of the unconfined aquifer (area of consideration), a Potential Annual Recharge value of 5.4 inches, and a percent of recharge available for appropriation of 75%. Current annual recharge across the model area is approximately 3 inches.

Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within a two-mile circle radius of the point of diversion, which establishes the area of consideration. Evaluation of the area of consideration included the extent of the unconfined aquifer, which provided an area of consideration of 8,042 acres. With a potential annual recharge of 5.4 inches, and 75% of recharge available for appropriation, safe yield was determined to be 2,714.18 acre-feet. Existing water rights have appropriated 1042.62 acre-feet, providing a difference of 1671.72 acre-feet available for appropriation, and the application requesting 66.7 acre-feet complies with safe yield.

The quantity of water requested for the application (66.7 acre-feet) was based on a pit surface area not to exceed 40 acres in size, as follows: 40 acres x 20 inches of evaporation / 12"/foot = 66.7 acre-feet. There are multiple pending applications in this general area of the state, and they are being worked in priority order to ensure that senior applications are provided the available water.

The applicant identified zero domestic wells within one-half mile of the proposed groundwater pit and 1 non-domestic wells/groundwater pits, which WRIS confirmed. Nearby notification letters were sent out on February 14, 2019. No response of any kind was received. According to the WRIS database, the nearest non-domestic point of diversion (File No. 7490) is located 2,524 feet away. The nearest domestic well would be over 680 feet away (Geo-Center to the edge of nearest road) although likely further. The proposed point of diversion meets minimum well spacing to all existing wells. Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be one-quarter mile to all other non-domestic wells and 660 feet to domestic wells. The groundwater pit has been in place since 1938 with no complaints and the application is to cover evaporation only losses.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed.

The proposed application is subject to minimum desirable streamflow requirements. The applicant signed, notarized, and returned the required form to our office.

Based on the above discussion, well spacing and safe yield criteria are met, and 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.

Matthew J. Meier
Environmental Scientist
Water Appropriations Unit

4/2/19
Concur w/ Recommendation
JK W.C.

2-14-19

(Date)

Kansas Department of Agriculture
Division of Water Resources
David W. Barfield, Chief Engineer
109 SW 9th Street, 2nd Floor
Topeka, Kansas 66612-1283

Re: Application File No. 49753

Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

Signature of Applicant

Troy Houtman

(Print Applicant's Name)

Director of P&R

State of Kansas)
County of Sedgwick) ss

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 14th day of February, 2019.

Notary Public

My Commission Expires:



WATER RESOURCES RECEIVED

FEB 22 2019

RECEIVED

FEB 19 2019

KS DEPT OF AGRICULTURE

SCANNED

Stafford Field Office
Division of Water Resources

**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River
Big Blue River
Chapman Creek
Chikaskia River
Cottonwood River
Delaware River
Little Arkansas River
Little Blue River
Marais des Cygnes River
Medicine Lodge River
Mill Creek (Wabaunsee Co. area)
Neosho River

Ninnescah River
North Fork Ninnescah River
Rattlesnake Creek
Republican River
Saline River
Smoky Hill River
Solomon River
South Fork Ninnescah
Spring River
Walnut River
Whitewater River

WATER RESOURCES
RECEIVED

FEB 22 2019

KS DEPT OF AGRICULTURE

RECEIVED

FEB 19 2019

SCANNED Stafford Field Office
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, KS 67578-1521



Phone: 620-234-5311
Fax: 620-234-6900
www.agriculture.ks.gov

Mike Beam, Interim Secretary

Laura Kelly, Governor

February 13, 2019

City of Wichita Parks & Recreation
Herman Hill Park
455 N. Main
Wichita, KS 67202

Re: Pending Application, File No. 49,753

Dear Sir or Madam:

This is to advise you that Board of Park Commissioners has filed the application referred to above for a permit to appropriate 66.7 acre-feet of groundwater per calendar year for recreational use to be diverted at a maximum rate of Natural Evaporation from an existing groundwater pit. The proposed point of diversion for 49,753 is the geo-center of the groundwater pit, which is located as follows:

Northwest Quarter of the Northwest Quarter of the Southeast Quarter of Section 5, Township 28 South, Range 1 East, Sedgwick County, Kansas.

A map is enclosed indicating the location of the groundwater pit. 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 of the applicant's point 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 or comments, you may also contact me at (620) 234-5311. If you call, please reference the file number so I can help you more efficiently. Mailed comments can be sent to the Stafford Field Office at 300 S. Main St. Stafford, KS 67578-1521.

Sincerely,

A handwritten signature in black ink that reads "Matt Meier". The signature is written in a cursive style.

Matt Meier
Environmental Scientist
Water Appropriations Program

Enclosure

pc:

Stafford Field Office
300 S. Main Street
Stafford, KS 67578-1521

NO STRANGER TO ME
Kansas
Department of Agriculture
Division of Water Resources

Phone: 620-234-5311
Fax: 620-234-6900
www.agriculture.ks.gov

Mike Beam, Interim Secretary

Laura Kelly, Governor



Legend

- Section Corners
- Section Lines

MJM-DWR 2/13/19

0 650 1,300 2,600 3,900 5,200 Feet

Proposed Water Appropriation, File No. 49,753
5-28S-1E
Sedgwick County



Water Rights and Points of Diversion Within 2.00 miles of point defined as:

2230 ft N and 2000 ft W of the SE Corner of Section 5, T 28S, R 1E

Located at: 97.340815 West Longitude and 37.643209 North Latitude

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit	
A__ 7487	00	IRR	NK	G	7954	--	NE	NW	NW	5080	4310	7	28	1E	1	30.00	30.00	AF	
A__ 7490	00	IRR	NK	G	2524	--	SE	NE	NE	4260	500	5	28	1E	1	19.00	19.00	AF	
A__ 7494	00	IRR	NK	G	7787	NC	N2	SE	NE	3630	.660	31	27	1E	1	26.00	26.00	AF	
A__ 33667	00	IND	NK	G	10358	--	--	--	--	2300	4310	29	27	1E	3	.45	.45	AF	
A__ 34480	00	IND	NK	G	8865	--	NW	NW	NE	5030	2200	33	27	1E	2	38.36	38.36	AF	
A__ 39276	00	IND	NK	G	10000	--	SE	NE	NW	4092	3085	10	28	1E	7 G	4	12.28	12.28	AF
Same					9816	--	SE	NE	NW	4340	3173	10	28	1E	8 B	4			
Same					10024	--	SE	NE	NW	4060	3073	10	28	1E	9 B	4			
Same					10295	--	SE	NE	NW	4060	2773	10	28	1E	10 B	4			
Same					9866	--	NW	SE	NW	3910	3323	10	28	1E	12 B	4			
A__ 40791	00	IND	NT	G	10367	--	SE	SW	NE	3150	1750	1	28	1W	4	6.08	6.08	AF	
A__ 45461	00	IND	NK	G	9214	--	SW	SE	SW	852	3280	3	28	1E	2	15.74	15.74	AF	
A__ 47116	00	REC	NK	G	5173	--	NE	NW	SE	2388	1448	8	28	1E	9	85.00	85.00	AF	
A__ 47586	00	IRR	NK	G	5800	--	NW	NW	SW	2421	4813	8	28	1E	11	2.00	2.00	AF	
A__ 47602	00	IRR	LO	G	4267	--	SE	SE	NW	3320	2780	8	28	1E	12	13.00	13.00	AF	
A__ 47610	00	IRR	LO	G	5324	--	NW	NE	SW	2540	3928	8	28	1E	13	9.75	9.75	AF	
A__ 48403	00	IND	GY	G	4488	--	SE	NW	NW	4300	4200	9	28	1E	3	65.00	65.00	AF	
A__ 48643	00	IND	GY	G	3518	--	--	--	--	856	4179	4	28	1E	6	1.35	1.35	AF	
A__ 48855	00	IRR	GY	G	3713	--	NW	SE	SE	1300	1102	32	27	1E	2	161.30	161.30	AF	
A__ 48856	00	IRR	GY	G	5658	--	SE	SW	NE	3280	1475	32	27	1E	3	161.30	23.70	AF	
A__ 48857	00	IND	AY	G	8477	--	NE	SE	SE	680	335	29	27	1E	29	161.30	161.30	AF	
A__ 48859	00	IND	AY	G	9973	--	SE	NE	SW	1290	2695	28	27	1E	2	242.00	242.00	AF	
A__ 48861	00	IRR	GY	G	3710	--	--	--	--	5350	4085	4	28	1E	7	161.30	.00	AF	
A__ 48862	00	IRR	GY	G	3101	--	--	--	--	5350	4930	4	28	1E	8	161.30	.00	AF	
A__ 48863	00	IRR	GY	G	4880	--	SW	NW	SW	1970	4890	33	27	1E	6	161.30	.00	AF	
A__ 48864	00	IRR	GY	G	5226	--	SE	NW	SW	1970	4170	33	27	1E	7	161.30	.00	AF	
A__ 48865	00	IRR	GY	G	7448	--	NW	NW	NW	4720	4940	33	27	1E	9	161.30	.00	AF	
A__ 48866	00	IRR	GY	G	7168	--	SW	NE	NW	3990	3810	33	27	1E	8	185.00	.00	AF	
A__ 49680	00	REC	GY	G	6439	--	SW	NE	SW	1370	3950	8	28	1E	14	35.90	35.90	AF	
A__ 49732	00	IRR	AY	G	8479	--	NE	NE	NE	5173	326	18	28	1E	10	35.60	35.60	AF	
A__ 49753	00	REC	AY	G	0	--	NW	NW	SE	2230	2000	5	28	1E	3	66.70	66.70	AF	
A__ 50098	00	REC	AY	G	8854	--	SW	SE	SE	291	3809	3	28	1E	13	2.50	2.50	AF	
T_20009098	00	CON	II	G	7371	--	SE	NW	NW	4500	4500	33	27	1E	3	1863.00	1863.00	AF	
P_20170110	00	DEW	GY	G	3917	--	NW	NW	NW	5240	5240	8	28	1E	15	26.52	26.52	AF	
P_20170198	00	DEW	GY	G	6455	--	SE	SE	SW	50	2750	6	28	1E	5	613.78	613.78	AF	
P_20180173	00	IND	GY	G	6439	--	SW	NE	SW	1370	3950	8	28	1E	14	4.91	4.91	AF	
P_20180187	00	DEW	GY	G	6439	--	SW	NE	SW	1370	3950	8	28	1E	14	174.93	174.93	AF	
VSG 16	00	IND	AA	G	5648	--	--	--	--	2468	4790	9	28	1E	7 G	4	8.82	8.82	AF
Same					5614	--	--	--	--	2546	4713	9	28	1E	2 B	4			
Same					5498	--	--	--	--	2546	4971	9	28	1E	4 B	4			
Same					5779	--	--	--	--	2380	4675	9	28	1E	5 B	4			
Same					5704	--	--	--	--	2400	4800	9	28	1E	6 B	4			
VSG 95	00	IRR	AA	G	9927	--	SW	NW	NW	-----	-----	34	27	1E	1	50.00	50.00	AF	

Total Net Quantities Authorized: Direct Storage
 Total Requested Amount (AF) = 508.10 .00

Total Permitted Amount (AF) =	2970.38	.00
Total Inspected Amount (AF) =	22.75	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	234.90	.00
Total Vested Amount (AF) =	58.82	.00
TOTAL AMOUNT (AF) =	3794.95	.00

An * after the source of supply indicates a pending application for change for the file number.

An * after the ID indicates a 15 AF exemption was granted for the file number.

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.

The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

97.340815 West Longitude and 37.643209 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

=====

File Number Use ST SR

A__ 7487 00 IRR NK G
 > CITY OF WICHITA PARKS & RECREATION
 > OAK PARK LILY POND
 > 455 N MAIN ST
 > WICHITA KS 67202

A__ 7490 00 IRR NK G
 > CITY OF WICHITA PARKS & RECREATION
 > HERMAN HILL PARK
 > 455 N MAIN ST
 > WICHITA KS 67202

A__ 7494 00 IRR NK G
 > CITY OF WICHITA PARKS & RECREATION
 > ALEY PARK
 > 455 N MAIN ST
 > WICHITA KS 67202

A__ 33667 00 IND NK G
 > SEDGWICK CO NOXIOUS WEED DEPT
 > % BD OF CO COMMISSIONERS
 > 901 STILLWELL
 > WICHITA KS 67213

A__ 34480 00 IND NK G
 > ROBERT A SNYDER & SUSAN L PETERS
 >
 > 2525 N HIGH POINTE CIR
 > WICHITA KS 67205

A__ 39276 00 IND NK G
 > CITY OF WICHITA
 > PUBLIC WORKS & UTILITIES-WTP
 > 455 N MAIN ST 8TH FLOOR
 > WICHITA KS 67202

>-----
A__ 40791 00 IND NT G
> LEADING TECHNOLOGY COMPOSITES
> FACILITIES MANAGER
> 2700 S CUSTER
> WICHITA KS 67217
>-----

A__ 45461 00 IND NK G
> CORNEJO & SONS LLC
> 2060 E TULSA
> PO BOX 16204
> WICHITA KS 67216
>-----

A__ 47116 00 REC NK G
> CORNEJO & SONS LLC
> 2060 E TULSA
> PO BOX 16204
> WICHITA KS 67216
>-----

A__ 47586 00 IRR NK G
> UNIFIED SCHOOL DISTRICT #259
> FACILITES DIRECTOR
> 3850 N HYDRAULIC ST
> WICHITA KS 67219
>-----

A__ 47602 00 IRR LO G
> UNIFIED SCHOOL DISTRICT #259
> FACILITES DIRECTOR
> 3850 N HYDRAULIC ST
> WICHITA KS 67219
>-----

A__ 47610 00 IRR LO G
> UNIFIED SCHOOL DISTRICT #259
> FACILITES DIRECTOR
> 3850 N HYDRAULIC ST
> WICHITA KS 67219
>-----

A__ 48403 00 IND GY G
> BOB BERGKAMP CONSTRUCTION CO INC
>
> 3709 S WEST ST
> WICHITA KS 67217
>-----

A__ 48643 00 IND GY G
> BOB BERGKAMP CONSTRUCTION CO INC
>
> 3709 S WEST ST
> WICHITA KS 67217
>-----

A__ 48855 00 IRR GY G
> CITY OF WICHITA PARKS & RECREATION
> OJ WATSON PARK

> 455 N MAIN ST 11TH FLOOR
> WICHITA KS 67202

A__ 48856 00 IRR GY G
> CITY OF WICHITA PARKS & RECREATION
> OJ WATSON PARK
> 455 N MAIN ST 11TH FLOOR
> WICHITA KS 67202

A__ 48857 00 IND AY G
> CITY OF WICHITA
> PUBLIC WORKS & UTILITIES
> 455 N MAIN 8TH FLOOR
> WICHITA KS 67202

A__ 48859 00 IND AY G
> CITY OF WICHITA
> PUBLIC WORKS & UTILITIES
> 455 N MAIN 8TH FLOOR
> WICHITA KS 67202

A__ 48861 00 IRR GY G
> CITY OF WICHITA PARKS & RECREATION
> OJ WATSON PARK
> 455 N MAIN ST 11TH FLOOR
> WICHITA KS 67202

A__ 48862 00 IRR GY G
> CITY OF WICHITA PARKS & RECREATION
> OJ WATSON PARK
> 455 N MAIN ST 11TH FLOOR
> WICHITA KS 67202

A__ 48863 00 IRR GY G
> CITY OF WICHITA PARKS & RECREATION
> OJ WATSON PARK
> 455 N MAIN ST 11TH FLOOR
> WICHITA KS 67202

A__ 48864 00 IRR GY G
> CITY OF WICHITA PARKS & RECREATION
> OJ WATSON PARK
> 455 N MAIN ST 11TH FLOOR
> WICHITA KS 67202

A__ 48865 00 IRR GY G
> CITY OF WICHITA PARKS & RECREATION
> OJ WATSON PARK
> 455 N MAIN ST 11TH FLOOR
> WICHITA KS 67202

A__ 48866 00 IRR GY G

> CITY OF WICHITA PARKS & RECREATION
> OJ WATSON PARK
> 455 N MAIN ST 11TH FLOOR
> WICHITA KS 67202

A__ 49680 00 REC GY G
> TCRS LLC
> JEFF LANGE
> 4911 S MERIDIAN
> WICHITA KS 67217

A__ 49732 00 IRR AY G
> IHL LLC
> JEFF LANGE PRESIDENT
> 4911 S MERIDIAN
> WICHITA KS 67217

A__ 49753 00 REC AY G
> CITY OF WICHITA PARKS & RECREATION
> OAK PARK STONE ARCH
> 455 N MAIN ST
> WICHITA KS 67202

A__ 50098 00 REC AY G
> LUBRICATION ENGINEERS INC
> V P MANUFACTURING OPER
> PO BOX 16447/1919 E TULSA
> WICHITA KS 67216

T_20009098 00 CON II G
> CITY OF WICHITA
> DEPT OF ENV HEALTH
> 1900 E 9TH ST N
> WICHITA KS 67214

P_20170110 00 DEW GY G
> QUIK TRIP CORPORATION
>
> PO BOX 3475
> TULSA OK 74101

P_20170198 00 DEW GY G
> WILDCAT CONSTRUCTION CO INC
>
> 3219 W MAY
> WICHITA KS 67213

P_20180173 00 IND GY G
> BOB BERGKAMP CONSTRUCTION CO INC
>
> 3709 S WEST ST
> WICHITA KS 67217

>-----
P_20180187 00 DEW GY G
> BOB BERGKAMP CONSTRUCTION CO INC
>
> 3709 S WEST ST
> WICHITA KS 67217

>-----
VSG 16 00 IND AA G
> GENE M & BARBARA J CAMPBELL
> CAMPBELL'S PHOENIX GREENHOUSE
> 3560 S BROADWAY ST
> WICHITA KS 67216

>-----
VSG 95 00 IRR AA G
> CITY OF WICHITA PARKS & RECREATION
> LINWOOD PARK
> 455 N MAIN ST
> WICHITA KS 67202
>-----
=====

**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River
Big Blue River
Chapman Creek
Chikaskia River
Cottonwood River
Delaware River
Little Arkansas River
Little Blue River
Marais des Cygnes River
Medicine Lodge River
Mill Creek (Wabaunsee Co. area)
Neosho River

Ninnescah River
North Fork Ninnescah River
Rattlesnake Creek
Republican River
Saline River
Smoky Hill River
Solomon River
South Fork Ninnescah
Spring River
Walnut River
Whitewater River

RECEIVED

FEB 19 2019

FEE SCHEDULE

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic use, shall be (see paragraph No. 2 below if requesting storage):

ACRE-FEET	FEE
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, except for domestic use, shall be:

ACRE-FEET	FEE
0-250	\$200.00
More than 250	\$200.00 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

CONVERSION FACTORS

WATER RESOURCES
RECEIVED

JAN 11 2017

KS DEPT OF AGRICULTURE

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

WATER RESOURCES
RECEIVED

JAN 03 2017

UNACCEPTABLE FOR PRIORITY

KS DEPT OF AGRICULTURE

SCANNED

1320 Research Park Drive
Manhattan, Kansas 66502

Jackie McClaskey, Secretary



Phone: (785) 564-6700
Fax: (785) 564-6777
Email: ksag@kda.ks.gov
www.agriculture.ks.gov
Sam Brownback, Governor

January 12, 2017

BOARD OF PARK COMMISSIONERS
455 N MAIN ST
WICHITA KS 67202

FILE COPY

RE: Application
File No. 49753

Dear Sir or Madam:

Your application for permit to appropriate water in 05-28S-01E in Sedgwick County, was received and has been assigned the file number noted above.

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. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. 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, P.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: STAFFORD Field Office
GMD 0

SCANNED

49,753

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth Quant	Add Quant	Tot Acres	Net Acres
A 48856 00	IRR	GY	G		SE	SW	NE	3280	1475	32	27	01E	3	WR	161.30	23.70	74.00	0.00
A 48857 00	IND	AY	G		NE	SE	SE	680	335	29	27	01E	29	WR	161.30	161.30		
A 48859 00	IND	AY	G		SE	NE	SW	1290	2695	28	27	01E	2	WR	242.00	242.00		
A 48861 00	IRR	GY	G					5350	4085	04	28	01E	7	WR	161.30	0.00	74.00	0.00
A 48862 00	IRR	GY	G					5350	4930	04	28	01E	8	WR	161.30	0.00	74.00	0.00
A 48863 00	IRR	GY	G		SW	NW	SW	1970	4890	33	27	01E	6	WR	161.30	0.00	74.00	0.00
A 48864 00	IRR	GY	G		SE	NW	SW	1970	4170	33	27	01E	7	WR	161.30	0.00	74.00	0.00
A 48865 00	IRR	GY	G		NW	NW	NW	4720	4940	33	27	01E	9	WR	161.30	0.00	74.00	0.00
A 48866 00	IRR	GY	G		SW	NE	NW	3990	3810	33	27	01E	8	WR	185.00	0.00	74.00	0.00
A 49680 00	REC	GY	G		SW	NE	SW	1370	3950	08	28	01E	14	WR	35.90	35.90		
A 49732 00	IRR	AY	G		NE	NE	NE	5173	326	18	28	01E	10	WR	35.60	35.60	11.00	11.00
A 49753 00	REC	AY	G		NW	NW	SE	2230	2000	05	28	01E	3	WR	66.70	66.70		
A 50098 00	REC	AY	G		SW	SE	SE	291	3809	03	28	01E	13	WR	2.50	2.50		

approved

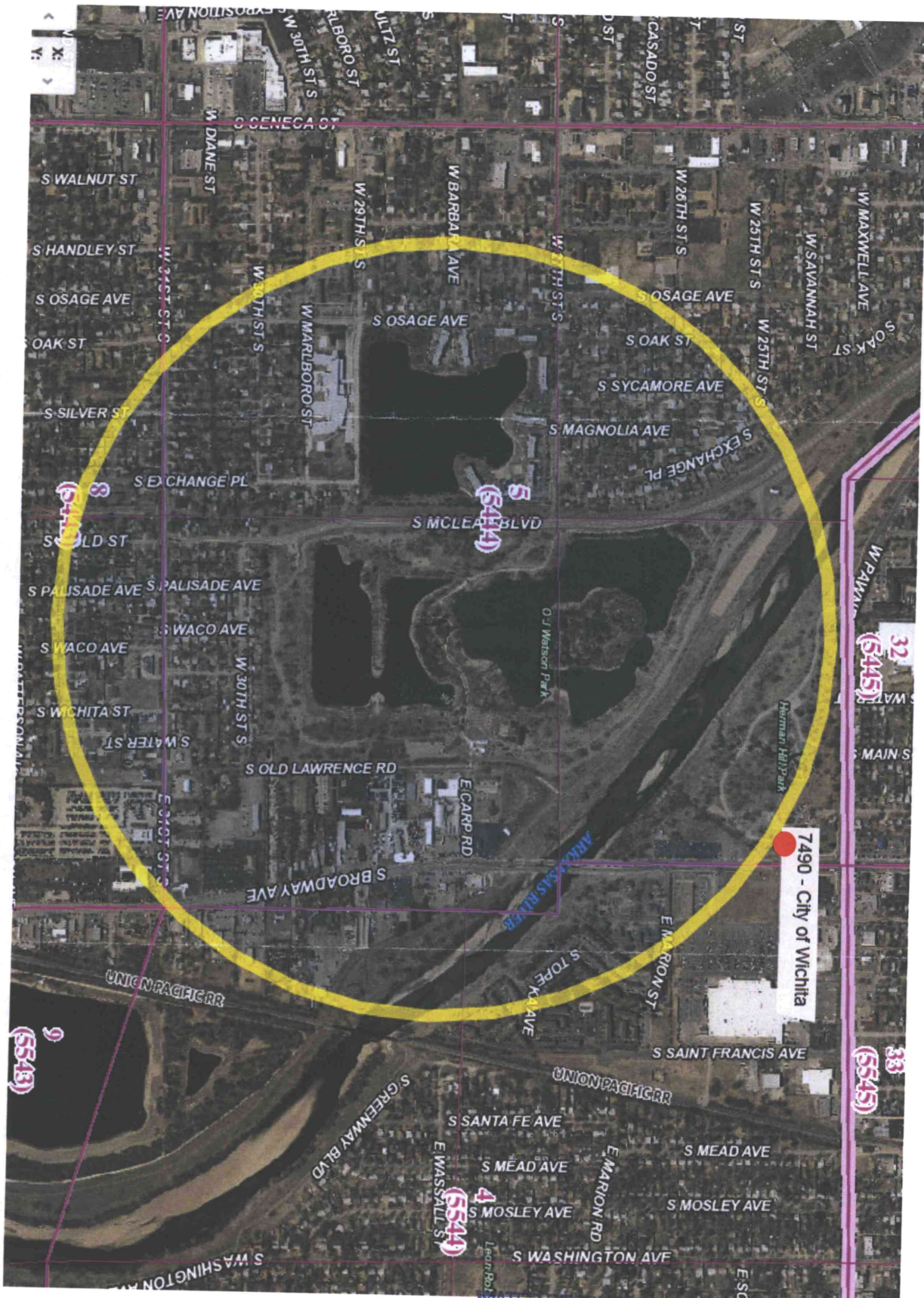
69.2 AF pending

Limitations

File Number	Seq Num	Limitations
A 48856 00	1	185 AF/YR COM/W #48855
A 48861 00	1	185 AF/YR COM/W #48855, 48856, 48858 & 48859-A
A 48862 00	1	185 AF/YR COM/W #48855 ETAL (SEE FILE FOR DETAILS)
A 48863 00	1	185 AF/YR COM/W #48855 ETAL (SEE FILE FOR DETAILS)
A 48864 00	1	185 AF/YR COM/W #48855 ETAL (SEE FILE FOR DETAILS)
A 48865 00	1	185 AF/YR COM/W #48855 ETAL (SEE FILE FOR DETAILS)
A 48866 00	1	185 AF/YR COM/W #48855 ETAL (SEE FILE FOR DETAILS)

Known Well owners within one-half mile of proposed point of diversion

Water Right 7490-00 City of Wichita Parks & Recreation, Herman Hill Park 455 N Main, Wichita KS 67202



WATER RESOURCES RECEIVED WATER RESOURCES RECEIVED

JAN 11 2017

UNACCEPTABLE FOR PRIORITY JAN 03 2017

BOARD OF PARK COMMISSIONERS
Section 5, Township 28 South, Range 1 East
Sedgwick County



WATER RESOURCES RECEIVED



Proposed Place of Use

WATER RESOURCES RECEIVED

All known well owners within one-half mile of the proposed point of diversion have been shown on this map.
UNACCEPTABLE FOR PRIORITY

JAN 03 2017

1:12,000

JAN 11 2017

Proposed Point of Diversion

Analysis Results

The selected PD is in an area OPEN to new appropriations.

The safe yield based on the variables listed below is 2,714.34 AF.

Total prior appropriations in the circle is 1,111.82 AF. *-69.2 = 1042.62 AF*

Total quantity of water available for appropriation is 1,602.52 AF.

-1042.62 = 1671.72 AF available

#49,953

*meets
S.Y.*

Safe Yield Variables

The area used for the analysis is set at 8,042 acres.

The potential annual recharge at the circle center is estimated to be 5.4 inches.

The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 19-SEP-2018 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 30 water rights and 38 points of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth Quant	Add Quant	Tot Acres	Net Acres
V SG 16 00	IND	AA	G					2546	4713	09	28	01E	2	WR	8.82	8.82		
Same	IND	AA	G					2546	4971	09	28	01E	4	WR				
Same	IND	AA	G					2380	4675	09	28	01E	5	WR				
Same	IND	AA	G					2400	4800	09	28	01E	6	WR				
Same	IND	AA	G					2468	4790	09	28	01E	7	WR				
V SG 95 00	IRR	AA	G		SW	NW	NW	0	0	34	27	01E	1	WR	50.00	50.00	45.00	45.00
A 7487 00	IRR	NK	G		NE	NW	NW	5080	4310	07	28	01E	1	WR	30.00	30.00	20.00	20.00
A 7490 00	IRR	NK	G		SE	NE	NE	4260	500	05	28	01E	1	WR	19.00	19.00	33.00	33.00
A 7494 00	IRR	NK	G	NC	N2	SE	NE	3630	660	31	27	01E	1	WR	26.00	26.00	20.00	20.00
A 33667 00	IND	NK	G					2300	4310	29	27	01E	3	WR	0.45	0.45		
A 34480 00	IND	NK	G		NW	NW	NE	5030	2200	33	27	01E	2	WR	38.36	38.36		
A 39276 00	IND	NK	G		SE	NE	NW	4092	3085	10	28	01E	7	WR	12.28	12.28		
Same	IND	NK	G		SE	NE	NW	4060	2773	10	28	01E	10	WR				
Same	IND	NK	G		NW	SE	NW	3910	3323	10	28	01E	12	WR				
Same	IND	NK	G		SE	NE	NW	4340	3173	10	28	01E	8	WR				
Same	IND	NK	G		SE	NE	NW	4060	3073	10	28	01E	9	WR				
A 40791 00	IND	NT	G		SE	SW	NE	3150	1750	01	28	01W	4	WRF	6.08	6.08		
A 45461 00	IND	NK	G		SW	SE	SW	852	3280	03	28	01E	2	WR	15.74	15.74		
A 47116 00	REC	NK	G		NE	NW	SE	2388	1448	08	28	01E	9	WR	85.00	85.00		
A 47586 00	IRR	NK	G		NW	NW	SW	2421	4813	08	28	01E	11	WR	2.00	2.00	4.00	4.00
A 47602 00	IRR	LO	G		SE	SE	NW	3320	2780	08	28	01E	12	WR	13.00	13.00	10.00	10.00
A 47610 00	IRR	LO	G		NW	NE	SW	2540	3928	08	28	01E	13	WR	9.75	9.75	8.00	8.00
A 48403 00	IND	GY	G		SE	NW	NW	4300	4200	09	28	01E	3	WR	65.00	65.00		
A 48643 00	IND	GY	G					856	4179	04	28	01E	6	WR	1.35	1.35		
A 48855 00	IRR	GY	G		NW	SE	SE	1300	1102	32	27	01E	2	WR	161.30	161.30	74.00	74.00