

Kansas Department of Agriculture  
Division of Water Resources  
**CHANGE: P/U & ORDER IN MATTER OF PD LOCATION WORKSHEET**

Document Signature LPL

1. File Number: <b>21290</b>	2. Status Change Date: <i>10/11/2017</i>	3. Change Num: <b>C1</b>	4. Field Office: <b>01</b>	5. GMD:
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6. Status:  Approved     Denied by DWR/GMD     Dismiss by Request/Failure to Return

7. Filing Date of Change:  
**5/24/2017**

<p>8a. Applicant(s)                                  Person ID <u><b>13327</b></u> New to system <input type="checkbox"/>                                  Add Seq# _____</p> <p><b>CITY OF OVERLAND PARK GOLF COURSE SUPT 8500 SANTA FE DR OVERLAND PARK KS 66212-2866</b></p>	<p>8c. Landowner(s)                                  Person ID <u><b>13327</b></u> New to system <input type="checkbox"/>                                  Add Seq# _____</p> <p style="text-align: center;"><b>8A</b></p>
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<p>8b. Landowner(s)                                  Person ID _____ New to system <input type="checkbox"/>                                  Add Seq# _____</p>	<p>8d. WUC    Person ID <u><b>13327</b></u> New to system <input type="checkbox"/>                                  Add Seq# _____</p> <p style="text-align: center;"><b>8A</b></p>
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9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: **12/31/18**     N & P Date to Comply: \_\_\_\_\_

Anti-Reverse Meter     Meter Seal     Check Valve     N & P Form     Water Tube     Driller Copy     H & E Letter

Conservation Plan    Date Required: \_\_\_\_\_    Date Approved: \_\_\_\_\_    Date to Comply: \_\_\_\_\_

10. Use Made of Water    From: \_\_\_\_\_    To: \_\_\_\_\_

Date Prepared: **9/26/17**    By: **LI**  
Date Entered: *10/11/2017*    By: *UM*

File No. **21290**      11. County: JO      Basin: MISSOURI RIVER      Stream: TOMAHAWK CREEK (MISSOURI)      Formation Code: NA      Special Use: NA

12. Points of Diversion  
 T  
 MOD  
 DEL PDIV  
 ENT  
 Qualifier      S      T      R      ID      'N      'W      Comment  
 Rate and Quantity  
 Authorized  
 Rate      Quantity  
 gpm/cfs      af/mgy  
 Additional  
 Rate      Quantity  
 gpm/cfs      af/mgy  
 Overlap PD Files

MOD 44795 SW SE NE 35 13 24E 1 ~~3136~~ 754 GPS UPDATE NO CHANGE 49846

3163

13. Storage: Rate \_\_\_\_\_ NF      Quantity \_\_\_\_\_ ac/ft      Additional Rate \_\_\_\_\_ NF      Additional Quantity \_\_\_\_\_ ac/ft

14. Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) **NONE NO CHANGE**

Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_

15. 5YR Allocation: Allocation Type \_\_\_\_\_ Start Year \_\_\_\_\_ 5 YR Amount \_\_\_\_\_ Amount Unit \_\_\_\_\_ Base Acres \_\_\_\_\_ Comment \_\_\_\_\_

16. Place of Use T MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
						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				
MOD 4405	35 13 24E 1	40	40	40	40	17.0		4.0	28.0	5.0	9.5			29.0	27.0			279.5	7a NO	SEE BELOW \					
ENT 68382	34 13 24E 1											9.0	12.0	14.5	11.5	6.0		53.0	7a NO	SEE BELOW \					
ENT 68381	36 13 24E 1						34.0	33.0			8.0		.....					75.0	7a NO	SEE BELOW \					

Comments: FILE NOS. 21,290, 38,409, 49,845 & 49,846 WILL ALL OVERLAP IN PLACE OF USE.  
 PU COMMENT: ST ANDREWS GOLF COURSE

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

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

**TO:** Files

**DATE:** September 28, 2017

**FROM:** Leslie Nos Ireland

**RE:** Water Right, File. 21,290 & 38,409

Tony Cosby Director of Recreation Services for the City of Overland Park has filed the above referenced applications for approval to change the irrigated place of use for their golf course, known as St. Andrews. The May 24, 2017, filled applications were submitted in conjunction with new appropriations, File Nos. 49,845 & 49,846. The new applications were processed by Douglas Schemm, Environmental Scientist, Topeka Field Office.

These certified rights are in compliance with K.S.A. 82a-718 and K.S.A. 82a-732. The applications meet K.A.R. 5-5-2a, Complete change application.

Doug Schemm worked with the applicant on a public notice about the appropriations of water and modification of the place of use which should meet the requirements of providing notice to nearby landowners. To my knowledge no written comments were received.

The currently authorized rights authorize a limited 133 acre-feet(AF) from, one(1) pumpsite under File No. 21,290, authorized 87 AF at 500 gallons per minute (gpm). Under File No. 38,409 it is authorized three (3) small retention dams authorized to accumulate 126 AF, with an allowed rediversion of a limited of 63 AF, with the limiting factor being the 133 acre place of use. The limitation has been a point of issue with the golf course as it was not restated in the certificate, but continues to be enforced, therefore the senior rights authorize only 133 AF for irrigation use at the St. Andrews Golf Course. The certificates for the referenced files list the same acres and the maximum acres irrigated as 133 acres. Together the rights developed 133 base acres as defined per K.A.R. 5-5-11, *Applications for change in place of use for irrigation purposes*.

The City proposes to increase the irrigated place of use from the 133 to 407.5 acres that are located in Sections 34, 35 & 36 in Township 13, Range 24 East, Johnson County. Two (2) new permits were filed, under File Nos. 49,845 & 49,846, to provide additional storage of water and rediversion (File No. 49,845) and for direct diversion (File No. 49,846). The place of use will be authorized under File Nos. 21,290; 38,409; 49,845 & 49,846. The place of use expansion to 407.5 acres at a golf course has been deemed a use that is afforded 1.5 acre-foot of water per acre, justifying 611.25 AF or 612 AF for the proposed place of use, under standard irrigation only 407.5 AF would be allowed.

File No. 21,290 will have an overlap in point of diversion with File No. 49,486. These (2) two rights have a total combined quantity of 407 AF at a rate of 1,900 gallons per minute for irrigation use. The location of the pumpsite under File No. 21,290, was inspected on March 16, 2017, with the determined actual location to be near a point 3,163 feet North and 754 feet West of the Southeast corner, located approximately 99 feet from the authorized location of 3,100 Feet North and 830 feet West of the Southeast corner, both in Section 35, Township 13 South, Range 24 East, Johnson County, as Tributary to on the Tomahawk Creek (Missouri River), Kansas. The actual location will not alter the local source of supply and complies with K.A.R. 5-5-6c, *Authorized point of diversion or place of use*. The location of the point of diversion will be updated by the approval.

File No. 38,409, will overlap with File No. 49,485, for the three(3) points of diversion that are the dams. These two (2) rights authorize the storage and rediversion from three small ponds that do not require structures permits. Historically the ponds were determined to have a storage capacity of 63 AF, with the run-off calculation of 205 AF and permitted 63 AF. File No. 49,485, requests 205 AF at natural flows to be retained in the small ponds will provide an additional 79 AF of storage. The 205 AF is requested to be rediverted at a rate of 1,000 gpm. The rediversion point will have a total combined rate of 1,700 gpm and authorized to divert 268 AF for irrigation use without any limitations, except when File No. 21,290 is exercised.

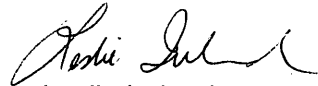
The proposed new applications have been recommended to be authorized. The additional quantity provided by the new applications demonstrates the proposed changes comply with part 6 of K.A.R. 5-5-11, *Applications for change in place of use for irrigation uses*. The 407 AF under File Nos. 21,209 & 49,846 along with the limited 205 AF permitted under File Nos. 38,409 & 49,485 will provide a total of 612 AF for irrigation use on the proposed 407.5 acres at the St. Andrews Golf Course. When the changes are issued with the new permits, there should be no increase in consumptive use as required by K.A.R 5-5-3, *Change in consumptive use*.

The point of diversion will overlap between File Nos. 21,290 and 49,846. The location authorized under the senior right will updated from 3,100 feet North to 754 feet West of the Southeast corner of Section 35, to 3,163 feet North and 754 feet West of the Southeast corner of Section 35, an update of approximately 63 feet. This will not alter the local source of supply and complies with K.A.R. 5-5-6c, *Authorized point of diversion*. The location of the pumpsite will be updated.

As allowed by K.S.A. 82a-706(c) an approved water flowmeter shall be installed on the primary and secondary diversion works. If any chemical or foreign substance is injected into the water pumped under the approvals, a check valve will also need to be installed.

Katie Tietsort, Water Commissioner, Topeka Field Office, recommended approval of the new permits on September 13, 2017 and the referenced applications for change in place of use in a September 28, 2017, e-mail.

As the new appropriations, have been recommended for permitting, the requested changes in place of use appear to be reasonable, should not result in an increase in consumptive use or a change in the local source of supply, it appears to be in the public interest that they should be approved based on the above discussion.



Leslie Ireland  
Environmental Scientist

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

October 17, 2017

CITY OF OVERLAND PARK  
% DOUG MELCHIOR - SUPERINTENDENT  
8500 SANTA FE DR  
OVERLAND PARK KS 66212-2866

**FILE COPY**

RE: Water Right, File Nos. 21,290; 30,406; 38,408; 38,409 & 40,873

Dear Mr. Melchior:

Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

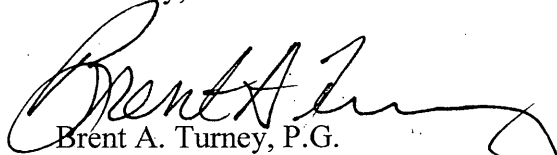
Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of the approvals is that an acceptable water flowmeter must be installed on the diversion works authorized under the referenced files. Records in this office indicate that meters are installed on the authorized points of diversion. If a meter has been replaced you must contact our staff at the Topeka Field Office at (785) 296-5733.

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

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

If you have any questions, please contact Leslie Ireland, Environmental Scientist, at (785) 566-6633. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,



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

BAT:LI  
Enclosures  
pc: Topeka Field Office

THE STATE



OF KANSAS

**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  
ORDER IN THE MATTER OF LOCATION  
OF THE AUTHORIZED POINT OF DIVERSION  
WATER RIGHT  
FILE NO. 21,290**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Tony Cosby, Director Recreation Services, for the City of Overland Park, 8500 Santa Fe Drive, Overland Park, Kansas 66212-2866, received in this office on May 24, 2017, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, finds that the change is reasonable and will not impair existing rights, that the change relates to the same local source of supply and that the application should be and is hereby approved.

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

Sec. Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
34 13S 24E											9.0	12.0	14.5	11.5	6.0		53.0
35 13S 24E	40.0	40.0	40.0	40.0	17.0		4.0	28.0	5.0	9.5			29.0	27.0			279.5
36 13S 24E						34.0	33.0			8.0							75.0

a total of 407.5 acres in Sections 34, 35 & 36, in Township 13 South, Range 24 East, Johnson County, Kansas,

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

That information in the office of the Chief Engineer finds that the point of diversion would more accurately be defined as:

one(1) pumpsite located in the Southwest Quarter of the Southeast Quarter of the Northeast Quarter (SW¼ SE¼ NE¼) of Section 35, more particularly described as being near a point 3,163 feet North and 754 feet West of the Southeast corner of said section, in Township 13 South, Range 24 East, Johnson County, Kansas.

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.

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.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 21,290, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated December 7, 1998.

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

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

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

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

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

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

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

Ordered this 11<sup>th</sup> day of October, 2017, at 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 11<sup>th</sup> day of October 2017, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



*Danielle Wilson*

Notary Public

**CERTIFICATE OF SERVICE**

On this 11<sup>th</sup> day of October, 2017, I hereby certify that the attached Order for Water Right, File No. 21,290, dated October 11, 2017 was mailed postage prepaid, first class, US mail to the following:

CITY OF OVERLAND PARK  
TONY COSBY, DIR REC SERVICES  
8500 SANTA FE DR  
OVERLAND PARK, KS 66212-2866

With photocopies to:

Topeka Field Office

*Danielle Wilson*

Division of Water Resources



Pump site  
ST. Andrews  
(Place of Use Change)

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

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



State of Kansas

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

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

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

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

WATER RESOURCES  
RECEIVED

MAY 24 2017

11:10

KS DEPT OF AGRICULTURE

File No. 21,290

2. Name of applicant: CITY OF OVERLAND PARK %GOLF COURSE SUPT.

Address: 8500 SANTA FE DR

City, State and Zip: OVERLAND PARK, KS 66212-2866

Phone Number: (913) 238-9889 E-mail address: \_\_\_\_\_

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

Name of water use correspondent: Same as applicant

Address: \_\_\_\_\_

City, State and Zip: \_\_\_\_\_

Phone Number: ( ) \_\_\_\_\_ E-mail address: \_\_\_\_\_

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

CHANGE WILL AUTHORIZE AN EXPANSION OF THE GOLF COURSE TO REFLECT CURRENT OPERATIONS. THIS CHANGE WILL ALSO CREATE A COMPLETE OVERLAP WITH PENDING NEW APPLICATIONS AND OTHER WATER RIGHT.

The change(s) (was) (will be) completed by SPRING 2017

(Date)

For Office Use Only:  
F.O. 1 GMD Meets K.A.R. 5-5-1 (YES) Use FRR Source G County 20 By ASW Date 5/24/17  
Code CAU Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 5/24/17 Check # CC

APPLICATION COMPLETE

9/13/17  
Reviewer LI

Assisted by: DWS - SCANNED

5/25/2017 UM

4. The presently authorized place of use is:

Owner of Land — NAME: CITY OF OVERLAND PARK %GOLF COURSE SUPT.

ADDRESS: 8500 SANTA FE DR OVERLAND PARK KS 66212-2866

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	
35	13	24E	35	33	35	20										10			133

List any other water rights that cover this place of use. File No. 38,409

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 OVERLAND PARK %GOLF COURSE SUPT.

ADDRESS: 8500 SANTA FE DR OVERLAND PARK KS 66212-2866

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	
34	13	24E										9	12	14.5	11.5	6			53
35	13	24E	40	40	40	40	17		4	28	5	9.5			29	27			279.5
36	13	24E						34	33			8							75

List any other water rights that cover this place of use. File No. 38,409 AND NEW APPLICATIONS

*(Handwritten notes: 49,845 ~~49,846~~ \* TOTAL 407.5)*

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

*\* LI/DWR 8/2/17*

- 6. The presently authorized point(s) of diversion (is) (are) ONE PUMP SITE  
(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 SE Quarter of the NE Quarter of Section 35, Township 13 s South, Range 24E (E/W), in JOHNSON County, Kansas, 3100 feet North 754 feet West of South East corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_  
 (DWR use only: Computer ID No. 1- GPS 3163 feet North 754 feet West)  
 This point will not be changed  This point will be changed as follows: GPS UPDATE PUMPSITE PER 3/16/17 COMPLIANCE  
**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 49,846

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.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

\* LI/DWR - PUMPSITE PULLS RESERVOIR FROM IRRIGATION USE

WATER RESOURCES RECEIVED

MAY 24 2017

KS DEPT OF AGRICULTURE SCANNED

12. The presently authorized use of water is for IRRIGATION purposes.  
 It is proposed that the use be changed to NO CHANGE purposes.
13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.  
Pending New Applications filed in conjunction with change application will adequately address any increase in consumptive use.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to \_\_\_\_\_ (acre-feet or million gallons).
15. It is requested that the maximum rate of diversion of water be reduced to \_\_\_\_\_ gallons per minute (\_\_\_\_\_ c.f.s.).
16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 ([www.usgs.gov](http://www.usgs.gov)). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map:
- a. If a change in the location of the point(s) of diversion is proposed, show:
    - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
    - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
    - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
  - b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.
17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

NO CHANGES TO EXISTING PUMP SITE.  
 \_\_\_\_\_  
 \_\_\_\_\_

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.

N/A  
 \_\_\_\_\_  
 \_\_\_\_\_

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

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 May 15 City of Overland Park, Kansas, this 15<sup>th</sup> day of May, 2016 2017.

City of Overland Park By Tony Cosby (Owner) \_\_\_\_\_ (Spouse)

Tony Cosby (Please Print) \_\_\_\_\_ (Please Print)

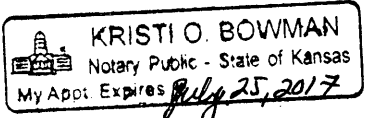
\_\_\_\_\_  
(Owner) \_\_\_\_\_ (Spouse)

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

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

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

State of Kansas }  
County of Johnson } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 15<sup>th</sup> day of May, 2017.

Kristi Bowman  
Notary Public

My Commission Expires July 25, 2017

**FEE SCHEDULE**

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

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

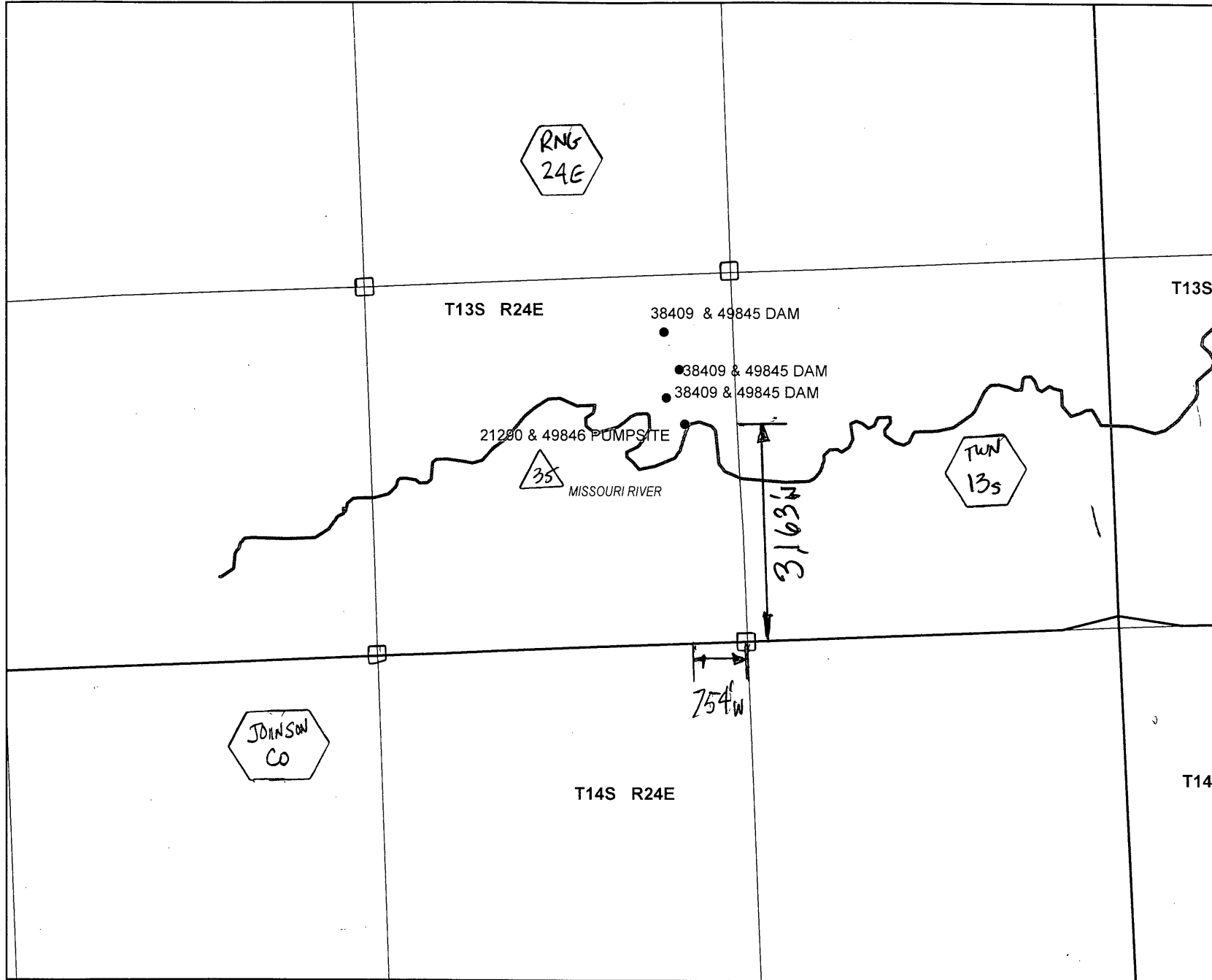
Make check payable to **Kansas Department of Agriculture.**

WATER RESOURCES  
RECEIVED

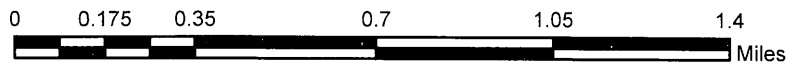
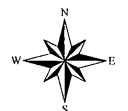
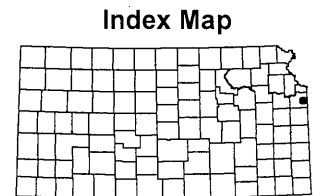
MAY 24 2017

SCANNED

# Water Right File Nos. 21,290 GPS UPDATE



- ### Legend
- WIMAS\_PD**
- S\_UMW**
- S\_IRR
  - ▢ S\_REC



This map was created by L Ireland in WIMAS on 8/2/2017

## Ireland, Leslie

---

**From:** Tietsort, Katie  
**Sent:** Thursday, September 28, 2017 11:41 AM  
**To:** Ireland, Leslie  
**Subject:** RE: Recommendation for Change in PU File Nos 21290x Overland Park

Hi Leslie,

What a complex package! The TFO appreciates your efforts in working through these changes to get the GC in compliance with an expanded PU and to get them more water. I think that the quantity was shown as all additional because of that problem we have been having the meetings about – two separate tribs so when they pump one versus the other the water is coming from a different source. But I think we agreed to show it as it is now and the new columns in the Sequel WRIS will consider this problem.

Thanks for moving these forward,  
Katie

Katie Tietsort

Kansas Department of Agriculture  
6531 SE Forbes Ave Ste B  
Topeka, KS 66619  
[katie.tietsort@ks.gov](mailto:katie.tietsort@ks.gov)  
Phone 785-296-5733

---

**From:** Ireland, Leslie  
**Sent:** Thursday, September 28, 2017 11:07 AM  
**To:** Tietsort, Katie <[Katie.Tietsort@ks.gov](mailto:Katie.Tietsort@ks.gov)>  
**Subject:** Recommendation for Change in PU File Nos 21290x Overland Park

Katie,

Please let me know if you could recommend these changes.  
As always comments and concerns are welcome.

Leslie Ireland  
Environmental Scientist II  
Kansas Department of Agriculture  
Division of Water Resources - Change Unit  
(785) 564-6633  
[Leslie.Ireland@ks.gov](mailto:Leslie.Ireland@ks.gov)

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A

21290 00

NEARBY

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 21290 00 IRR

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

3100 Feet North and 830 Feet West of the Southeast Corner of Section 35 T 13S R 24E

Both SURFACE WATER and GROUNDWATER

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Tw	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A_ 21290 00	IRR	NK	S*	0	--	SW	SE	NE	3100	830	35	13	24E	1		87.00	87.00	AF
A_ 30406 00	IRR	NK	S*	10358	--	NW	NE	SW	2400	3850	23	13	24E	2		67.50	67.50	AF
Same				9107	--	NW	SE	SW	1050	3950	23	13	24E	3				
***** Authorized storage = .00 AF Additional storage = .00 AF																		
A_ 38408 00	IRR	NK	S*	10358	--	NW	NE	SW	2400	3850	23	13	24E	2		86.50	86.50	AF
Same				9107	--	NW	SE	SW	1050	3950	23	13	24E	3				
A_ 38409 00	IRR	NK	S*	1413	NC	W2	NE	NE	4500	1000	35	13	24E	2		63.00	63.00	AF
Same				854	NC	W2	E2	NE	3950	800	35	13	24E	3				
***** Authorized storage = .00 AF Additional storage = .00 AF																		
Same				483	--	NW	SE	NE	3550	1000	35	13	24E	4				
***** Authorized storage = .00 AF Additional storage = .00 AF																		
A_ 47019 00	REC	NK	S	9023	--	NE	NE	NW	4959	3062	11	14	24E	2		.00	.00	AF
A_ 49845 00	IRR	AY	S	1413	NC	W2	NE	NE	4500	1000	35	13	24E	2		205.00	205.00	AF
Same				854	NC	W2	E2	NE	3950	800	35	13	24E	3				
***** Authorized storage = .00 AF Additional storage = .00 AF																		
Same				483	--	NW	SE	NE	3550	1000	35	13	24E	4				
***** Authorized storage = .00 AF Additional storage = .00 AF																		
A_ 49846 00	IRR	AY	S	0	--	SW	SE	NE	3100	830	35	13	24E	1		320.00	320.00	AF
A_ 49847 00	IRR	AY	S	10358	--	NW	NE	SW	2400	3850	23	13	24E	2		356.00	356.00	AF
Same				9107	--	NW	SE	SW	1050	3950	23	13	24E	3				
***** Authorized storage = .00 AF Additional storage = .00 AF																		

APPLICANTS

AF - ONLY NEARBY NOT APPLICANTS

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	881.00	561.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	304.00	196.77
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	1185.00	757.77

An \* after the source of supply indicates a pending application for change under the file number.  
 An \* after the ID indicates a 15 AF exemption was granted under 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:

3100 Feet North and 830 Feet West of the Southeast Corner of Section 35 T 13S R 24E

Both SURFACE WATER and GROUNDWATER

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A_ 21290 00	IRR	NK	S
>	CITY OF OVERLAND PARK		
>	GOLF COURSE SUPT		



> 8500 SANTA FE DR  
> OVERLAND PARK KS 66212

-----  
A\_\_ 30406 00 IRR NK S  
> CITY OF OVERLAND PARK  
> GOLF COURSE SUPT  
> 8500 SANTA FE DR  
> OVERLAND PARK KS 66212

-----  
A\_\_ 38408 00 IRR NK S  
> CITY OF OVERLAND PARK  
> GOLF COURSE SUPT  
> 8500 SANTA FE DR  
> OVERLAND PARK KS 66212

-----  
A\_\_ 38409 00 IRR NK S  
> CITY OF OVERLAND PARK  
> GOLF COURSE SUPT  
> 8500 SANTA FE DR  
> OVERLAND PARK KS 66212

-----  
A\_\_ 47019 00 REC NK S  
> BLUESTEM HOMEOWNERS ASSOC INC  
> YOUNG MANAGEMENT GROUP INC  
> 10660 BARKLEY SUITE 200  
> OVERLAND PARK KS 66212

-----  
A\_\_ 49845 00 IRR AY S  
> CITY OF OVERLAND PARK  
> GOLF COURSE SUPT  
> 8500 SANTA FE DR  
> OVERLAND PARK KS 66212

-----  
A\_\_ 49846 00 IRR AY S  
> CITY OF OVERLAND PARK  
> GOLF COURSE SUPT  
> 8500 SANTA FE DR  
> OVERLAND PARK KS 66212

-----  
A\_\_ 49847 00 IRR AY S  
> CITY OF OVERLAND PARK  
> GOLF COURSE SUPT  
> 8500 SANTA FE DR  
> OVERLAND PARK KS 66212

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#####



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**

CITY OF OVERLAND PARK  
%GOLF COURSE SUPT  
8500 SANTA FE DR  
OVERLAND PARK, KS 66212

May 24, 2017

RE: File No 21290

Dear Sir or Madam:

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

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

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

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

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

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

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

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

Sincerely,

Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program

BAT: DLW



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

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

Jackie McClaskey, Secretary

Governor Sam Brownback

pc: TOPEKA Field Office GMD



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

CITY OF OVERLAND PARK  
%GOLF COURSE SUPT  
8500 SANTA FE DR  
OVERLAND PARK, KS 66212

May 24, 2017

**FILE COPY**

RE: File No 40873

Dear Sir or Madam:

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

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

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

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

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

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

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

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

Sincerely,

Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program

BAT: DLW

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



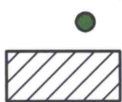
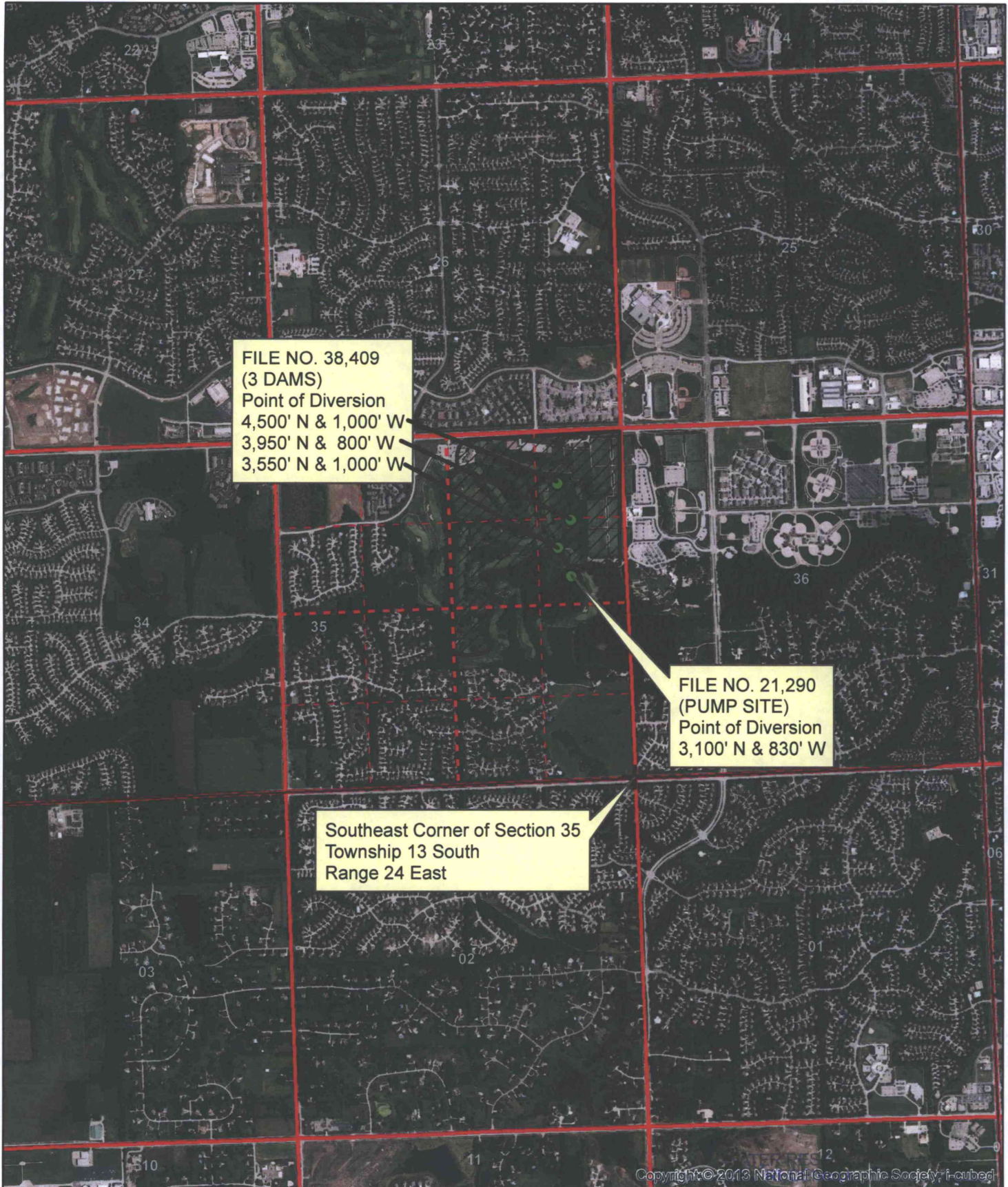
900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

pc: TOPEKA Field Office GMD

WATER RIGHT, FILE NOS. 21,290 & 38,409  
AUTHORIZED PLACE OF USE  
ST ANDREWS GOLF COURSE



Point of Diversion  
Authorized Place of Use

1:24,000

MAY 24 2017

KS DEPT OF AGRICULTURE



WATER RIGHT, FILE NOS 21,290 & 38,409

PROPOSED PLACE OF USE  
ST ANDREWS GOLF COURSE



FILE NO. 38,409  
 (3 DAMS)  
 Point of Diversion  
 4,500' N & 1,000' W  
 3,950' N & 800' W  
 3,550' N & 1,000' W

Center of Section 36  
 Township 13 South  
 Range 24 East

FILE NO. 21,290  
 (PUMP SITE)  
 Point of Diversion  
 3,100' N & 830' W

Southeast Corner of Section 34  
 Township 13 South  
 Range 24 East

Southeast Corner of Section 35  
 Township 13 South  
 Range 24 East



● Point of Diversion  
 [Hatched Box] Proposed Place of Use

RECEIVED

MAY 12 2010

KS DEPT OF AGRICULTURE

Requesting to do a Public Notice, due to large number of upstream and downstream landowners within 1/2 mile.

SCANNED

*City of Overland Park*  
 By Tony Cosby Dir Recreation Services