

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

Document Signature LPL

1. File Number: 30406	2. Status Change Date: <i>10/11/2017</i>	3. Change Num: C1	4. Field Office: 01	5. GMD:
6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 5/24/2017
8a. Applicant(s) New to system <input type="checkbox"/> CITY OF OVERLAND PARK GOLF COURSE SUPT 8500 SANTA FE DR OVERLAND PARK KS 66212-2866		Person ID 13327 Add Seq# _____	8c. Landowner(s) New to system <input type="checkbox"/> 8A	
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____	8d. WUC New to system <input type="checkbox"/> 8A	
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/2018 <input type="checkbox"/> N & P Date to Comply: _____				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: _____ To: _____				
Date Prepared: 9/29/17 By: LI Date Entered: <i>10/16/2017</i> By: <i>CCM</i>				

File No. **30406** 11. County: JO Basin: MISSOURI RIVER Stream: TOMAHAWK CREEK (MISSOURI) Formation Code: NA Special Use: NA

12. Points of Diversion Rate and Quantity
 T Authorized
 MOD Additional
 DEL PDIV Rate Quantity
 ENT gpm/cfs af/mgy gpm/cfs af/mgy Overlap PD Files

Qualifier S T R ID 'N' 'W' Comment

NO CHANGE

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 2878	23	13	24E	1					6.0	28.0	36.0	32.0	32.0	38.0	37.0	35.0					244	7a NO		SEE BELOW \	
MOD 29459 ENT	27	13	24E	1		11.0	13.0		20.0			14.0	17.0								75.0	7a NO		SEE BELOW \	

Comments: **FILE NOS. 30,406, 38,408, 40,873, 49,847 & 49,848 WILL ALL OVERLAP IN PLACE OF USE.**
PU COMMENT: SKYES/LADY - WESTLINKS 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 Ireland

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

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 Sykes/Lady – Westlinks Golf Courses. The May 24, 2017, filled applications were submitted in conjunction with new appropriations, File Nos. 49,847 & 49,848. The new applications were processed by Douglas Schemm, Environmental Scientist, Topeka Field Office and have been recommended for approval by the area water commissioner, Katie Tietsort.

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*.

The City proposes to increase the irrigated place of use from the 257 to 319 acres by adding acres located in the Northwest Quarter of Section 23. Two (2) new permits under File Nos. 49,847 & 49,848, propose to provide additional storage of water and rediversion (File No. 49,847) and for direct diversion (File No. 49,848). The place of use will be authorized under File Nos. 40,873; 38,409; 49,845 & 49,846. The place of use expansion to 319 acres at a golf course has been deemed a use that is afforded 1.5 acre-foot of water per acre, justifying 612 AF for the proposed place of use, under standard irrigation only 319 AF would be allowed in Johnson County. The rights are not located in a special use area.

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.

File No. 30,406

The certificate under File No. 30,406, authorizes the right to store 67.5 AF of natural flows via two(2) dams on Indian Creek Trib 2 (Missouri). The dams are located in the Southwest Quarter of Section 23, Township 13, Range 24 West, Johnson County. The water is held in two separate structures referenced under the Water Structures Inventory as DJO-104 (South Dam) and DJO-105 (North Dam), but quantified by the entire right. This right is also authorized to divert 67.5 AF at 1,050 gallons per minute (gpm).

File No. 38,408

The certificate under File No. 38,408, details 86.5 AF of Natural Flows (NF) and the diversion of 86.5 AF at 1,100 gpm with the rate limited to 1,100 gpm with File No. 30,406. Nos. 30,406 & 38,408, have 154 AF of stored water and 154 AF for direct use. The WRIS database needs to be corrected for File No. 38,408 to show 86.5 AF at NF for the storage as listed in the certificate.

File No. 40,873

The certificate for File No. 40,873, allows the diversion of 72 AF at 820 gpm from a pumpsite on Indian Creek (Missouri). The pumpsite is located in the Northwest Quarter (NW¼) of Section 13, in Township 13, Range 24 East, Johnson County.

The referenced rights authorize a combined total of 226 acre-feet (AF) for direct irrigation use.

The **place of use** under File Nos. 30,406 & 38,408, is an incomplete overlap with File No. 40,873. The most junior right is authorized to irrigate a separate 75 acres in Section 27, and the 182 acres authorized by the senior rights. The 185 acres in Section 23, all in Township 13, Range 24 East, Johnson County, for a total combined of 257 acres. The certificates for File Nos. 30,406 & 38,408 list the same acres and state the maximum acres irrigated was determined to be 182 acres. The Certificate for File No. 40,783 lists the same 182 acres in the West Half of Section 23, Township 13, Range 24 East, but has an additional 75 acres authorized near the center of Section 27, Township 13, Range 24 East, all in Johnson County. The certificate for this right states 257 acres were the maximum acres irrigated during the perfection period. Together the rights developed 257 base acres as defined per K.A.R. 5-5-11, *Applications for change in place of use for irrigation purposes*.

The summary memo for the new appropriations, File Nos. 49,847 & 49,848, states the applications have been recommended for permitting. New acres will be added in the Northwest Quarter of Section 23. Their permitting of the proposed expansion of the place of use from 257 acres to 319, indicates quantity provided by the new permits and the requested expansion will comply with Part 6, of K.A.R. 5-5-11, and consumptive use under the referenced files will not increase thus complying with K.A.R. 5-5-3, *Change in consumptive use*.

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, and 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

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
WATER RIGHT
FILE NO. 30,406**

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	
23 13S 24E					6.0	28.0	36.0	32.0	32.0	38.0	37.0	35.0					244.0
27 13S 24E		11.0	13.0		20.0			14.0	17.0								75.0

a total of 319.0 acres in Sections 23 & 27, 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.

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. 30,406, 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 11th 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 11th 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 17th day of October, 2017, I hereby certify that the attached Order for Water Right, File No. 30,406, 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


Division of Water Resources



FILE COPY

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

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.

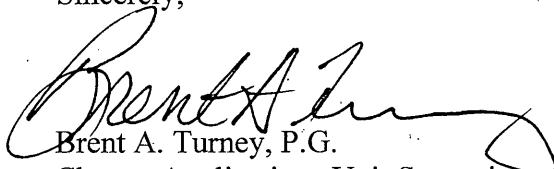
Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of the approvals is that an acceptable water flowmeter must be installed on the diversion works authorized under the referenced files. Records in this office 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

Sykes Lady / Westlinks
2 ponds
(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
11:16

KS DEPT OF AGRICULTURE

File No. 30,406

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 RIGHTS.

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

(Date)

For Office Use Only:							
F.O. <u>1</u>	GMD <u>0</u>	Meets K.A.R. 5-5-1 <u>(YES/NO)</u>	Use <u>IRR</u>	Source <u>G(3)</u>	County <u>to</u>	By <u>AW</u>	Date <u>5/24/17</u>
Code <u>CPU</u>	Fee \$ <u>200</u>	TR # _____	Receipt Date <u>5/24/17</u>	Check # <u>CC</u>			

APPLICATION COMPLETE
9/13/17
Reviewer HE

SCANNED

5/25/2017 ULM

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	
23	13	24E							10	30	32	38	37	35					182

List any other water rights that cover this place of use. **File Nos. 38,408 & 40,873**

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	
23	13	24E					6	28	36	32	32	38	37	35					244
27	13	24E		11	13		20			14	17								75
																			319 Acres

List any other water rights that cover this place of use. **File Nos. 38,408 & 40,873 AND NEW APPLICATIONS 49,847 & 49,848**

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

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). 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 DAMS

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

6. The presently authorized point(s) of diversion (is) (are) TWO DAMS
(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:

No Change

8. **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 _____

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

WATER RESOURCES RECEIVED

MAY 24 2017

KS DEPT OF AGRICULTURE

SCANNED

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

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

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

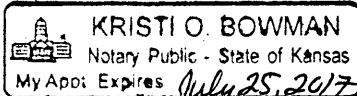
If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

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

Dated at Overland Park, Kansas, this 15 day of May, 2016 2017.

<u>City of Overland Park</u> (Owner)	_____	(Spouse)
<u>By Tony Cosby</u> (Please Print)	<u>Dir. Recreation Services</u> <u>Tony Cosby</u> (Please Print)	_____
_____	_____	(Spouse)
(Owner)	_____	(Please Print)
_____	_____	(Spouse)
(Please Print)	_____	(Please Print)
_____	_____	(Spouse)
(Owner)	_____	(Please Print)
_____	_____	(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 15th day of May, 2017.

Kristi O. 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
KS DEPT OF AGRICULTURE
SCANNED



Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietz, Water Commissioner

Phone: (785) 296-5733
Fax: (785) 862-2460
www.agriculture.ks.gov
Sam Brownback, Governor

March 23, 2017

WATER RESOURCES
RECEIVED

MAY 24 2017

KS DEPT OF AGRICULTURE

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

RE: Change and New Applications - St Andrews and Sykes/Lady Golf Courses

Dear Mr. Melchior:

As we discussed last week, enclosed are application forms related to both the St Andrews and the Sykes Lady Golf Courses. The change applications will address the expanded irrigated acreage at both courses and the new applications will provide you with additional water from multiple sources.

ST ANDREWS APPLICATIONS

The change applications for Water Right, File Nos. 21,290 and 38,409, will expand your place of use to reflect what you had indicated on the site maps during our visit. Please note that the change application forms must be **signed and the signature must be notarized**. For the requested changes in place of use, the required filing fee would be **\$200 per application**. In addition, enclosed are two new applications, which will provide additional water and overlap in point of diversion (both pump site and dams) and expanded place of use with your senior files. The new applications must be **signed at both Paragraph Nos. 6 and 16, and sign all of the site maps where indicated**. For the new application on your pump site, with a requested quantity of 320 acre-feet, the filing fee would be **\$300**. For the new application on your three ponds, with a requested direct use quantity of 205 acre-feet, the filing fee would be **\$300**. The filing fee for all four applications related to your St Andrews Golf Course would be **\$1,000**.

SYKES/LADY - WESTLINKS APPLICATIONS

The change applications for Water Right, File Nos. 30,406; 38,408; and 40873, will expand your place of use to reflect what you had indicated on the site maps during our visit, and will create a complete overlap in the authorized acreage. Please note that the change application forms must be **signed and the signature must be notarized**. For the requested changes in place of use, the required filing fee would be **\$200 per application**. In addition, enclosed are two new applications, which will provide additional water and overlap in point of diversion (both pump site and dams) and expanded place of use with your senior files. The new applications must be **signed at both Paragraph Nos. 6 and 16, and sign all site maps where indicated**. For the new application on your pump site, with a requested quantity of 320 acre-feet, the filing fee would be **\$300**. For the new application on your two ponds, with a requested direct use quantity of 356 acre-feet, the filing fee would be **\$320**. The filing fee for all five applications related to your Sykes/Lady - Westlinks Golf Course would be **\$1,220**.

The total filing fee for all nine applications would be **\$2,220**.

SCANNED

CITY OF OVERLAND PARK

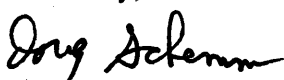
St. Andrews and Sykes/Lady – Westlinks Golf Courses

Page 2

Please submit the applications and filing fees to the **Kansas Department of Agriculture, Division of Water Resources, 1320 Research Park Drive, Manhattan, KS 66502.**

You may contact the Topeka Field Office at (785) 296-5733, or myself at (785) 296-3495, for any additional assistance in completing this application form.

Sincerely,



Douglas Schemm
Environmental Scientist
Topeka Field Office

Enclosures

Ireland, Leslie

From: Tietsort, Katie
Sent: Thursday, September 28, 2017 1:25 PM
To: Ireland, Leslie
Subject: RE: Recommendation for Change in PU, File Nos. 30,406; 38,408 & 40,873 Overland Park

Honestly Leslie, I don't really care what we show there. FO's don't use WRIS for anything and certainly never Q's- it is really about people processing apps and safe yield and the new system will address that I think. It's all good of you change it.

Katie Tietsort

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

From: Ireland, Leslie
Sent: Thursday, September 28, 2017 1:15 PM
To: Tietsort, Katie <Katie.Tietsort@ks.gov>
Subject: RE: Recommendation for Change in PU, File Nos. 30,406; 38,408 & 40,873 Overland Park

On this one I really think File No. 38,408 needs to have the storage of 86.5 added on the bottom part of the Q & R page in WRIS, it is just wrong and totally doesn't reflect the certificate. Also, we've been working with Ginger and Laura correcting a lot of them so it seems to have been a problem in the past and would seem to be needed for the migration if they've been doing them. So if you really don't object I'd like to fix 38,408 to show 86.5 AF at NF of storage???

From: Tietsort, Katie
Sent: Thursday, September 28, 2017 11:43 AM
To: Ireland, Leslie <Leslie.Ireland@ks.gov>
Subject: RE: Recommendation for Change in PU, File Nos. 30,406; 38,408 & 40,873 Overland Park

Hi Leslie,

Same thing here.

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.

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

From: Ireland, Leslie

Sent: Thursday, September 28, 2017 11:07 AM

To: Tietsort, Katie <Katie.Tietsort@ks.gov>

Subject: Recommendation for Change in PU, File Nos. 30,406; 38,408 & 40,873 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



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

FILE COPY

May 24, 2017

RE: File No 30406

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

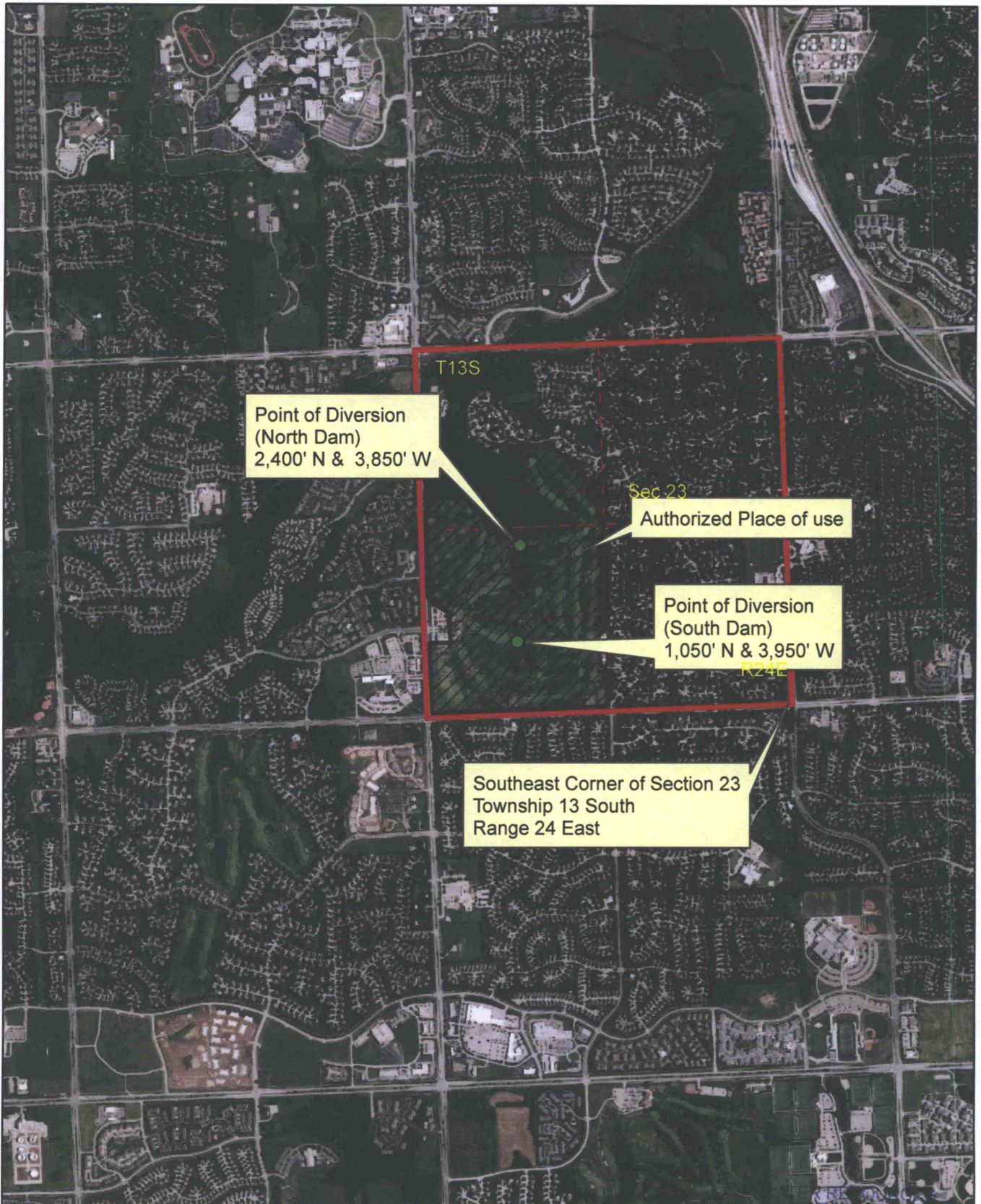
900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

pc: TOPEKA Field Office GMD

WATER RIGHT FILE NOS. 30,406 & 38,408
AUTHORIZED PLACE OF USE
SYKES LADY GOLF COURSE



1:24,000



Point of Diversion



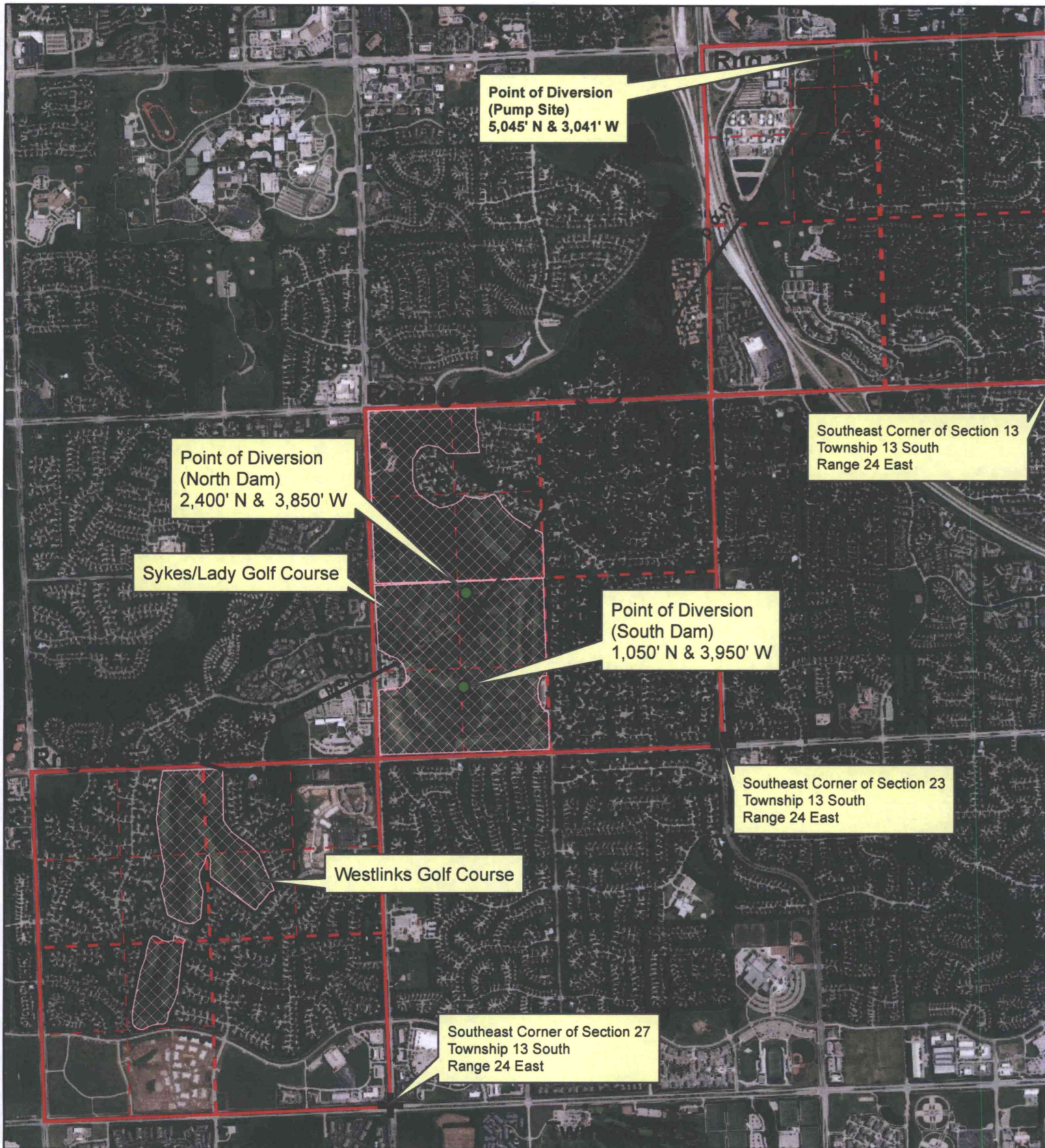
Authorized Place of Use

SCANNED

KS DEPT OF AGRICULTURE

RECEIVED
MAY 24 2017

WATER RIGHT, FILE NOS. 30,406; 38,408; & 40,873
 PROPOSED PLACE OF USE
 SYKES-LADY / WESTLINKS GOLF COURSES



Point of Diversion
 (Pump Site)
 5,045' N & 3,041' W

Point of Diversion
 (North Dam)
 2,400' N & 3,850' W

Sykes/Lady Golf Course

Point of Diversion
 (South Dam)
 1,050' N & 3,950' W

Southeast Corner of Section 13
 Township 13 South
 Range 24 East

Southeast Corner of Section 23
 Township 13 South
 Range 24 East

Westlinks Golf Course

Southeast Corner of Section 27
 Township 13 South
 Range 24 East

WATER RESOURCES
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MAY 24 2017

Point of Diversion

Proposed Place of Use

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 *Tom Corly* Dir. Recreation Services

1:24,000

