

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

1. File Number: <p style="text-align: center; font-size: 1.2em;">49,847</p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em;">10/11/2017</p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;">01</p>	4. GMD: <p style="text-align: center; font-size: 1.2em;">0</p>
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
<p>7a. Applicant(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID 13327 Add Seq# _____</p> <p>CITY OF OVERLAND PARK GOLF COURSE SUPT 8500 SANTA FE DR OVERLAND PARK KS 66212-2866</p> <p>7b. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p> <p>7a.</p>	<p>7c. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p> <p>7d. Landowner New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p>		
<p>8. WUR Correspondent New to system <input type="checkbox"/></p> <p>Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="text-align: right;">Person ID _____ Add Seq# _____ Notarized WUC Form <input type="checkbox"/></p> <p>7a.</p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="text-align: center;"><input type="checkbox"/> Groundwater <input checked="" type="checkbox"/> Surface Water</p> <p><input checked="" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____</p>		
10. Completion Date: <u>12/31/2018</u> 11. Perfection Date: <u>12/31/2022</u> 12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
<p>Date Prepared: 9/14/2017 By: DWS Date Entered: 10/10/2017 By: UM</p>			

File No. **49,847** 15. Formation Code: _____ Drainage Basin: MISSOURI RIVER County: JO Special Use: _____ Stream: INDIAN CREEK TRIB 2 (MISSOURI)

16. Points of Diversion										17. Rate and Quantity MOD ADDL QTY				
MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W		Authorized	Additional			
										Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
√		6803 NW NE SW	23	13	24E	2	2400	3850		1200	356	1200	202	30,406 & 38,408
√		9593 NW SE SW	23	13	24E	3	1050	3950					202	

18. Storage: Rate _____ NF Quantity **356** ac/ft Additional Rate _____ NF Additional Quantity **202** ac/ft

19. Limitation: **356 AF (STORAGE)** af/yr at _____ gpm (_____ cfs) when combined with file number(s) **30,406 & 38,408 (Storage)**
 Limitation: **356** af/yr at _____ gpm (_____ cfs) when combined with file number(s) **30,406 & 38,408 (DIRECT USE - REDIVERSION)**

20. Meter Required? Yes No To be installed by **12/31/2018** Date Acceptable Meter Installed _____

MOD DEL ENT	PUSE	S	T	R	ID	NE%				NW%				SW%				SE%				Total	Owner	Chg? NO	Overlap Files
						NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %				
√	2878	23	13	24E	1					6.0	28.0	36.0	32.0	32.0	38.0	37.0	35.0					244.0	7a.	No	*See Below
√	29459	27	13	24E	1		11.0	13.0		20.0			14.0	17.0								75.0	7a.	No	*See Below

Comments: *FILE NOS. 49,847; 49,848; 30,406; 38,408 AND 40,873 WILL ALL OVERLAP IN PLACE OF USE (AFTER CHANGES ON THE SENIOR FILES).
 PU COMMENT: SYKES/LADY - WESTLINKS GOLF COURSE

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

MEMORANDUM

TO: Files

DATE: September 14, 2017

FROM: Doug Schemm

RE: Applications, File Nos. 49,845; 49,846;
49,847; and 49,848

The City of Overland Park has filed the applications referred to above for permits to appropriate additional water at existing golf courses. This is a significant project, involving both the St. Andrews Golf Course and the Sykes/Lady – Westlinks Golf Courses, and also involving changes on their senior water rights to ensure complete overlaps in the places of use. New Applications, File Nos. 49,845 and 49,846 (and senior Water Right, File Nos. 21,290 and 38,409) are relevant to the St. Andrews Golf Course, while New Applications, File Nos. 49,847 and 49,848 (and senior Water Right, File Nos. 30,406; 38,408; and 40,873) are relevant to the Sykes/Lady – Westlinks Golf Courses. The points of diversion are located on property owned by the applicant, and a representative of the applicant has signed each of the application forms stating they have legal access to all of the points of diversion. The project is located within the Missouri River Drainage Basin.

ST. ANDREWS GOLF COURSE

Application, File No. 49,845 is requesting 205 acre-feet of surface water at the rate of natural flows to be stored in three (3) existing reservoirs and to divert 205 acre-feet for irrigation use. This application overlaps in points of diversion and place of use with Water Right, File No. 38,409, and in place of use only with Water Right, File No. 21,290. The dams are located on Tomahawk Creek Trib 2 (Missouri). Runoff computations determined that the drainage area will generate 205 acre-feet of runoff in 1 out of every five (5) years (a 20% chance). Therefore, per K.A.R. 5-6-5, this quantity **IS** the limiting factor, and the application was processed with this quantity. Because runoff is a limiting factor, this file will be limited to 205 acre-feet in both storage and direct use with File No. 38,409. File No. 38,409 is authorized 126 acre-feet of storage and 63 acre-feet of direct use quantity, therefore this junior file will provide additional storage of 79 acre-feet, and additional direct use quantity of 142 acre-feet.

Application, File No. 49,846 is requesting 320 acre-feet of surface water at the rate of 1,400 gallons per minute from an existing pump site on Tomahawk Creek, for irrigation use. This application overlaps in point of diversion and place of use with Water Right, File No. 21,290, and in place of use only with Water Right, File No. 38,409. File No. 21,290 is authorized 87 acre-feet of surface water.

The entire place of use is owned by the applicant, and it comprises a total of 407.5 acres. The two senior files combined provide 150 acre-feet of water for direct irrigation use, and the new applications are requesting 462 acre-feet additional for a total combined quantity of 612 acre-feet from all four files. This quantity of water for direct use of 612 acre-feet for irrigation use on 407.5 acres, provides 1.5 acre-feet per acre, which exceeds the maximum allowable of 1.0 acre-feet per acre in Johnson County, Kansas, per K.A.R. 5-3-24. However, maintaining consistency with other golf course projects the need for 1.5 to 2.5 acre-feet of water per acre is common, due to the multiple, special grass varieties, high traffic areas (greens and tees), and the need to keep the grass cut very short during the playing season. Golf course grasses can be considered a "specialty crop", and therefore this additional quantity of water is reasonable and justified.

Other than the applicant's senior files, there is only one other surface water right within a two-mile radius according to the WRIS database. This file (47,019) is for recreational use in a reservoir on a different tributary stream, and would not be impacted in any way by approval of these applications. These three dams were found to be non-jurisdictional for structures permitting.

SYKES/LADY – WESTLINKS GOLF COURSES

Application, File No. 49,847 is requesting 356 acre-feet of surface water at the rate of natural flows to be stored in two (2) existing reservoirs and to divert 356 acre-feet for irrigation use. This application overlaps in points of diversion and place of use with Water Right, File Nos. 30,406 and 38,408, and in place of use only with Water Right, File No. 40,873. The dams are located on Indian Creek Trib 2 (Missouri). Runoff computations determined that the drainage area will generate 356 acre-feet of runoff in 1 out of every five (5) years (a 20% chance). Therefore, per K.A.R. 5-6-5, this quantity **IS** the limiting factor, and the application was processed with this quantity. Because runoff is a limiting factor, this file will be limited to 356 acre-feet in both storage and direct use with File Nos. 30,406 and 38,408. File No. 30,406 is authorized 67.5 acre-feet of storage and 67.5 acre-feet of direct use quantity, and File No. 38,408 is authorized 86.5 acre-feet of storage and 86.5 acre-feet of direct use quantity, therefore this junior file will provide additional storage of 202 acre-feet, and additional direct use quantity of 202 acre-feet.

Application, File No. 49,848 is requesting 320 acre-feet of surface water at the rate of 1,400 gallons per minute from an existing pump site on Indian Creek, for irrigation use. This application overlaps in point of diversion and place of use with Water Right, File No. 40,873, and in place of use only with Water Right, File Nos. 30,406 and 38,408. File No. 40,873 is authorized 72 acre-feet of surface water. Please note that File No. 49,848 will be limited to 480 acre-feet with the senior files on the place of use, providing 52 acre-feet of additional water.

The entire place of use is owned by the applicant, and it comprises a total of 319 acres. The three senior files combined provide 226 acre-feet of water for direct irrigation use, and the new applications are requesting 254 acre-feet additional water for a total combined quantity of 480 acre-feet from all five files. This quantity of water for direct use of 480 acre-feet for irrigation use on 319 acres, provides 1.5 acre-feet per acre, which exceeds the maximum allowable of 1.0 acre-feet per acre in Johnson County, Kansas, per K.A.R. 5-3-24. However, maintaining consistency with other golf course projects the need for 1.5 to 2.5 acre-feet of water per acre is common, due to the multiple, special grass varieties, high traffic areas (greens and tees), and the need to keep the grass cut very short during the playing season. Golf course grasses can be considered a "specialty crop", and therefore this additional quantity of water is reasonable and justified.

As indicated by the site maps, there is extensive housing development surrounding all these golf courses. Therefore, the applicant, due to the difficulty in identifying the adjacent landowners upstream and downstream located within one half mile of the property lines, agreed that notification of landowners would best be done by publication of a public notice. Proof of publication was provided via an affidavit of publication. No responses of any kind were received.

For File Nos. 49,848 and 40,783 (pump site) there are several surface water pump sites located downstream on Indian Creek, which also divert water for irrigation use at another golf course (Brookridge Golf and Country Club). The nearest downstream pump site is over 4,400 feet away, and no senior water rights will be impaired with approval of this application. These two dams are already permitted under structures program file Nos. DJO-104 (South Dam) and DJO-105 (North Dam).

Per K.A.R. 5-3-15, because the sources of water for File Nos. 49,846 and 49,848 are ultimately tributaries to the Missouri River, these applications are not subject to specific permitting conditions regarding direct surface water diversion. However, the approvals cannot prejudicially or unreasonably affect the public interest, and the stream flow cannot be stopped at the first riffle below the point of diversion.

As allowed by K.S.A. 82a-706(c) approved water flow meters shall be installed on all of the proposed diversion works for these files. If any chemical or foreign substance is injected into the water pumped under these permits, check valves will also need to be installed.

In a September 13, 2017 discussion, Katie Tietsort, Water Commissioner, Topeka Field Office, stated that the referenced new applications should be approved in conjunction with the changes on the senior water rights. Based on the above discussion, that this area is open to new appropriations, the proposed appropriations of water are reasonable, the applications comply with rules and regulations, and no senior rights will not be impacted, it is recommended that the referenced new applications be approved.

Doug Schemm
Environmental Scientist
Topeka Field Office

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: Appropriation of Water, File Nos. 49,845; 49,846; 49,847; and 49,848

Dear Mr. Melchior:

There are enclosed permits 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 sources and at the locations specified in these permits, and to use it for the purpose and at the location described in these permits.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these permits. Water meters are required and you must install them prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meters should be used to provide the information required on the annual water use reports. 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 these permits. Enclosed are forms which may be used to notify the Chief Engineer that the proposed diversion works have been completed for each file.

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 these permits 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 these permits. Failure to comply with this regulation will result in the dismissal of your permits or your water rights. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00 per file number. There is also enclosed an information sheet setting forth the procedure to obtain Certificates of Appropriation which will establish the extent of your water rights.

If you have any questions, please contact our office. 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 "Kristen A. Baum".

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

KAB:dws
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
and
PERMIT TO PROCEED**

(This is not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 49,847** of the applicant

**CITY OF OVERLAND PARK
GOLF COURSE SUPT
8500 SANTA FE DR
OVERLAND PARK KS 66212-2866**

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 **May 24, 2017**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

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

3. That the appropriation sought shall be limited to all natural flows of an unnamed tributary to Indian Creek, designated in the office of the Chief Engineer as Indian Creek Trib 2 (Missouri), not needed to satisfy all vested rights and prior appropriation rights to be incrementally accumulated as reservoir storage space becomes available to a maximum extent of **356 acre-feet** per calendar year in two (2) reservoirs created by dams located as follows: one located in the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (NW¼ NE¼ SW¼) of Section 23, more particularly described as being near a point 2,400 feet North and 3,850 feet West of the Southeast corner of said section; and one located in the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW¼ SE¼ SW¼) of Section 23, more particularly described as being near a point 1,050 feet North and 3,950 feet West of the Southeast corner of said section, all in Township 13 South, Range 24 East, Johnson County, Kansas, to provide **356 acre-feet** of water as needed for direct irrigation use to be withdrawn, released or otherwise diverted from the reservoir at a re-diversion rate of approximately **1,200 gallons per minute (2.67 c.f.s.)**. A reasonable maximum re-diversion rate will be established during the perfection period and assigned at certification.

4. That installation of works for diversion of water shall be completed on or before **December 31, 2018** 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.

5. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2022** 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. That all re-diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the re-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.

11. That an acceptable water flow meter shall be installed and maintained on the re-diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

12. 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.

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

14. 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.

15. 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.

16. That the quantity of water approved for storage under this permit is limited to the storage quantity, which combined with Water Right, File Nos. 30,406 and 38,408, will provide a total not to exceed **356 acre-feet** of water per calendar year for storage of water.

17. That the quantity of water approved under this permit is further limited to the quantity which combined with Water Right, File Nos. 30,406 and 38,408 will provide a **total not to exceed 356 acre-feet** of water per calendar year for direct irrigation use on the land described herein.

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, Kansas 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, Kansas 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, in Topeka, Shawnee County, Kansas.

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

State of Kansas)
) SS
 County of Riley)

The foregoing instrument was acknowledged before me this 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

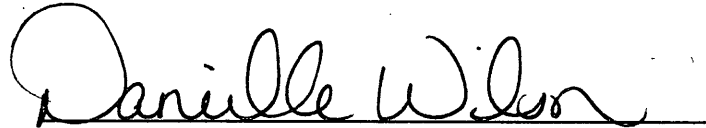
CERTIFICATE OF SERVICE

On this 17th day of October, 2017, I hereby certify that the foregoing Approval of Application, File No. 49,847, dated October 11, 2017 was mailed postage prepaid, first class, US mail to the following:

CITY OF OVERLAND PARK
GOLF COURSE SUPT
8500 SANTA FE DR
OVERLAND PARK KS 66212-2866

With photocopies to:

Topeka Field Office

A handwritten signature in black ink that reads "Danielle Wilson". The signature is written in a cursive style and is positioned above a horizontal line.

Division of Water Resources

Sykes/Lady - Westlinks
New Application
(Existing Ponds)

APPLICATION COMPLETE
9/15/2017
Reviewer DWS

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49847
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

MAY 24 2017
11:19
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.)

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

1. Name of Applicant (Please Print): CITY OF OVERLAND PARK %GOLF COURSE SUPT.
Address: 8500 SANTA FE DR
City: OVERLAND PARK State: KS Zip Code: 66212-2866
Telephone Number: (913) 238-9889

2. The source of water is: surface water in INDIAN CREEK TRIB 2 (MISSOURI) # 297
(stream)
OR groundwater in _____
(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. *Re-divert 356 Acre-feet at 1,200 gpm for Irr Use.

3. The maximum quantity of water desired is 356 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of NF 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.

4. The water is intended to be appropriated for (Check use intended):
(a) Artificial Recharge (b) Irrigation (c) Recreational (d) Water Power
(e) Industrial (f) Municipal (g) Stockwatering (h) Sediment Control
(i) Domestic (j) Dewatering (k) Hydraulic Dredging (l) Fire Protection
(m) Thermal Exchange (n) 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. 1 GMD 0 Meets K.A.R. 5-3-1 (YES/NO) Use FRD Source G/S County JW By ASW Date 5/24/17
Code REG 2F3 Fee \$ 320 TR # _____ Receipt Date 5/24/17 Check # CC

SCANNED
5/25/2017 UM

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 NE quarter of the SW quarter of Section 23, more particularly described as being near a point 2,400 feet North and 3,850 feet West of the Southeast corner of said section, in Township 13 South, Range 24 EAST, JOHNSON County, Kansas.
- (B) One in the NW quarter of the SE quarter of the SW quarter of Section 23, more particularly described as being near a point 1,050 feet North and 3,950 feet West of the Southeast corner of said section, in Township 13 South, Range 24 EAST, JOHNSON 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 May 15, 2017. By Tony Cook Dir. Recreation Services
City of Overland Park
 Applicant's Signature

7. The proposed project for diversion of water will consist of TWO dams and reservoirs _____ (number of wells, pumps or dams, etc.)
 and (was) completed (by) EXISTING _____ (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 Summer 2017 (Mo/Day/Year)

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 DJO-104 (SOUTH DAM) & DJO-105 (NORTH DAM)

• If no, explain here why a Water Structures permit is not required _____

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.

PD and PU overlap with File Nos. 30,406 and 38,408; PU overlap with File No. 40,873. Requested quantity is limited by the basin runoff of 356 AF. Storage and direct use Quantity to be limited to 356 acre-feet, with senior files:

49,848

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 Overland Park, Kansas, this 15 day of May, 2017.
(month) (year)

City of Overland Park
(Applicant Signature)

APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By Tony Cosby Dir. Recreation Services
(Agent or Officer Signature)

and/or APPLICANT(S) TAXPAYER I.D. NO.(S)

Tony Cosby
(Agent or Officer - Please Print)

Assisted by DWS TOPEKA FO Date: 3/8/2017
(office/title)

WATER RESOURCES RECEIVED

MAY 24 2017

KS DEPT OF AGRICULTURE

SCANNED

IRRIGATION USE SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): CITY OF OVERLAND PARK

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: CITY OF OVERLAND PARK

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

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23	13	24E					6	28	36	32	32	38	37	35					244
27	13	24E		11	13		20			14	17								75

Total Acreage = 319

Landowner of Record NAME: _____

ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Landowner of Record NAME: _____

ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): _____ %

Estimate the maximum land slope in the field(s): _____ %

c. Type of irrigation system you propose to use (check one):

Center pivot Center pivot - LEPA "Big gun" sprinkler
 Gravity system (furrows) Gravity system (borders) Sideroll sprinkler

Other, please describe: _____

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: _____ psi

(2) What is the sprinkler package design rate? _____ gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? _____ feet

(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

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

49,845, 49,846, 49,847, 49,848

49,848

PUBLIC NOTICE

First published in The Legal Record, Tuesday, August 22, 2017.

PUBLIC NOTICE

New Water Use Applications for Sykes/Lady Overland Park Golf Course and St. Andrews Golf Course: File Nos. 49,845; 49,846; 49,847; 49,848

Change Applications for Place of Use for Sykes/Lady Overland Park Golf Course and St. Andrews Golf Course: File Nos. 21,290; 30,406; 38,408; 38,409 and 40,873

The City of Overland Park has filed New Water Use Applications, File Nos. 49,845; 49,846; 49,847 and 49,848 for permits to appropriate water for beneficial use, with the Division of Water Resources, Kansas Department of Agriculture. These applications are related to both the St. Andrews and the Sykes/Lady Overland Park Golf Courses, and in all instances, the new applications are proposing to divert additional water from existing diversion works, including the pump site and dams.

These golf courses are generally located in Sections 23, 27, 34, 35, and 36, all in Township 13 South, Range 24 East, Johnson County, Kansas. Current water use at the golf courses is authorized under File Nos., 21,290; 30,406; 38,408; 38,409 and 40,873. Change in Place of Use applications have been filed for each of these senior files, which will modify their place of use to match the expanded, new application irrigation projects at each golf course.

Landowners in the immediate vicinity of these facilities are invited to submit written comments regarding the above referenced new and change applications. Comments regarding these applications will be accepted through September 15, 2017.

Written comments or questions regarding the applications may be directed to:

The Office of the Chief Engineer
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502

If you wish for more information concerning these applications, you may also contact:

Douglas Schemm, Environmental Scientist
Topeka Field Office, (785)296-3495

8/22

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SEP 13 2017

Topeka Field Office
DIVISION OF WATER RESOURCES

The Legal Record

P.O. Box 273
Olathe, KS 66051-0273
(913) 780-5790

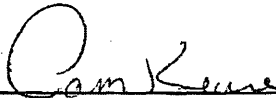
CITY OF OVERLAND PARK
8500 SANTA FE DR
OVERLAND PARK KS 66212-2866

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Pam Kruse, of lawful age, being first duly sworn,
deposes and says that she is Legal Notices Billing Clerk
for The Legal Record which is a newspaper printed in
the State of Kansas, published in and of general paid
circulation on a weekly, monthly or yearly basis in
Johnson County, Kansas, is not a trade, religious or
fraternal publication, is published at least weekly fifty
(50) times a year, has been so published continuously
and uninterrupted in said County and State for a period
of more than one year prior to the first publication of the
notice attached, and has been entered at the post office
as Periodicals Class mail matter. That a notice was
published in all editions of the regular and entire issue
for the following subject matter (also identified by the
following case number, if any)

for 1 consecutive week(s), as follows:

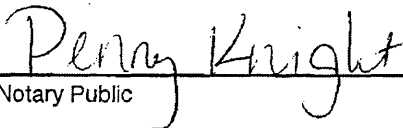
NEW WATER USE APPLICATIONS FOR SYKES/LADY
OP GOLF COURSE/ ST ANDREWS GOLF COURSE
8/22/17



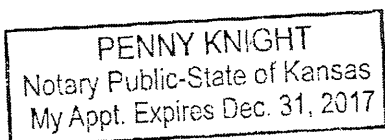
Legal Notices Billing Clerk

Subscribed and sworn to before me on this date:

August 23, 2017



Notary Public



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SEP 13 2017

Topeka Field Office
DIVISION OF WATER RESOURCES

L68954

Publication Fees: \$38.77

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
583831	0003257619	(First published in The Olathe News Saturday, St		\$71.25	1	\$1

Attention: ELIZABETH KELLEY

CITY OF OVERLAND PARK
 8500 SANTA FE DRIVE
 OVERLAND PARK, KS 66212

(First published in The
 Olathe News Saturday,
 September 2, 2017)

PUBLIC NOTICE

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Landowners in the immediate vicinity of these facilities are invited to submit written comments regarding the above referenced new and change applications. Comments regarding these applications will be accepted

STATE OF MISSOURI)
) ss.
 County of JACKSON)

I, Nancy Yeager,

Nancy Yeager

 make oath and swear that

CYPRESS MEDIA, LLC, publishers of The Kansas City Star, all its neighborhood sections and suburban newspapers including 816, 913, Johnson County News, Northland and its subsidiaries, The Olathe News, The Cass County Democrat-Missourian and The Lee's Summit Journal, are published in the Kansas City, Missouri, metro (distribution) area including but not exclusively to Johnson and Wyandotte Counties in the state of Kansas, and Cass, Clay, Jackson and Platte Counties in the state of Missouri. Every publication listed is published weekly, twice weekly or daily. We confirm the notice ran the days scheduled in this statement. A true copy of which is hereto attached was duly published in Olathe News.

FOR THE PERIOD OF: 1 day(s)

COMMENCING: 09/02/2017

ENDING: 09/02/2017

EDITION(S):
 09/02/2017



PAULA S. SMITH
 My Commission Expires
 August 17, 2019
 Jackson County
 Commission #15637431

Subscribed and sworn to before me, this 5th day of September in the year of 2017. I certify that I was duly qualified as a Notary Public for the State of Missouri, Commissioned in Jackson County, Missouri.

My commission expires August 17, 2019

Paula S. Smith

 Paula S. Smith - Notary 9/5/17

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SEP 13 2017

applications will be accepted
through September 15,
2017.

Written comments or ques-
tions regarding the applica-
tions may be directed to:

The Office of the
Chief Engineer
Division of Water Resources
Kansas Department
of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502

If you wish for more infor-
mation concerning these ap-
plications, you may also
contact;

Douglas Schemm,
Environmental Scientist
Topeka Field Office,
(785)296-3495

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SEP 13 2017

Topeka Field Office
DIVISION OF WATER RESOURCES

The Legal Record

P.O. Box 273
Olathe, KS 66051-0273
(913) 780-5790


CITY OF OVERLAND PARK
8500 SANTA FE DR
OVERLAND PARK KS 66212-2866

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Pam Kruse, of lawful age, being first duly sworn,
deposes and says that she is Legal Notices Billing Clerk
for The Legal Record which is a newspaper printed in
the State of Kansas, published in and of general paid
circulation on a weekly, monthly or yearly basis in
Johnson County, Kansas, is not a trade, religious or
fraternal publication, is published at least weekly fifty
(50) times a year, has been so published continuously
and uninterrupted in said County and State for a period
of more than one year prior to the first publication of the
notice attached, and has been entered at the post office
as Periodicals Class mail matter. That a notice was
published in all editions of the regular and entire issue
for the following subject matter (also identified by the
following case number, if any)

for 1 consecutive week(s), as follows:

NEW WATER USE APPLICATIONS FOR SYKES/LADY
OVERLAND PARK GOLF COURSE & ST ANDREWS
9/5/17



Legal Notices Billing Clerk

Subscribed and sworn to before me on this date:

September 6, 2017



Notary Public

DEBRA VALENTI
Notary Public-State of Kansas
My Appt. Expires Aug 21, 2019

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SEP 13 2017

Topeka Field Office
DIVISION OF WATER RESOURCES

L69196
Publication Fees: \$33.77

PUBLIC NOTICE

First published in The Legal Record, Tuesday, September 5, 2017.

PUBLIC NOTICE

New Water Use Applications for Sykes/Lady Overland Park Golf Course and St. Andrews Golf Course: File Nos. 49,845; 49,846; 49,847; 49,848

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Manhattan, Kansas 66502

If you wish for more information concerning these applications, you may also contact:

Douglas Schemm, Environmental Scientist
Topeka Field Office, (785)298-3495

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SEP 13 2017

Topeka Field Office
DIVISION OF WATER RESOURCES



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

May 24, 2017

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

FILE COPY

RE: Application
File No. 49847

Dear Sir or Madam:

Your application for permit to appropriate water in 23-13S-24E in Johnson 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,

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: TOPEKA Field Office
GMD

SCANNED

NEW APPLICATION SITE MAP
 (EXISTING DAMS)
 SYKES/WESTLINKS GOLF COURSES

49847



1:24,000

WATER RESOURCES RECEIVED
 ● Proposed Point of Diversion



MAY 24 2017
 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 *Tony Cook* Dir Recreation Services