

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;"><b>50,096</b></p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em;"><b>11/29/2018</b></p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;"><b>01</b></p>	4. GMD: <p style="text-align: center; font-size: 1.2em;"><b>0</b></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 type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> Meter			
7a. Applicant(s) New to system <input type="checkbox"/> Person ID <b>66215</b> Add Seq# _____		7c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____	
WILLOW LAKE HOMES ASSOCIATION SCOTT SHER 14125 MEADOW LANE LEAWOOD KS 66224			
7b. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____		7d. Misc. New to system <input type="checkbox"/> Person ID _____ Add Seq# _____	
<b>7a.</b>			
8. WUR Correspondent New to system <input type="checkbox"/> Person ID _____ Add Seq# _____ Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No                    Notarized WUC Form <input type="checkbox"/>		9. Use of Water:    Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  <input type="checkbox"/> Groundwater <input checked="" type="checkbox"/> Surface Water  <input type="checkbox"/> IRR <input checked="" type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN  <input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON  <input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG  <input type="checkbox"/> IND    SIC: _____ <input type="checkbox"/> OTHER: _____	
<b>7a.</b>			
10. Completion Date: <b>12/31/2019</b>		11. Perfection Date: <b>12/31/2023</b>	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: _____			
		Date Prepared: <b>11/1/2018</b> By: <b>DWS</b> Date Entered: <b>12/3/2018</b> By: <b>WJM</b>	

File No. <b>50,096</b>	15. Formation Code:	Drainage Basin: MISSOURI RIVER	County: JO	Special Use:	Stream: <b>BLUE RIVER TRIB 3 (MISSOURI)</b>																	
16. Points of Diversion				17. Rate and Quantity																		
T MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized	Additional	Overlap PD Files											
									Rate gpm	Quantity mgy	Rate gpm	Quantity mgy										
√	86996	SW SE SE	34	13	25E	1	464	1139					NONE									
18. Storage: Rate _____ NF    Quantity <b>20</b> ac/ft    Additional Rate _____ NF    Additional Quantity <b>20</b> ac/ft																						
19. Limitation: _____ af/yr at _____ gpm ( _____ cfs) when combined with file number(s) _____ Limitation: _____ af/yr at _____ gpm ( _____ cfs) when combined with file number(s) _____																						
20. Meter Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    To be installed by _____    Date Acceptable Meter Installed _____																						
21. Place of Use		NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files	
T MOD DEL ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼					
√	69037	34	13	25E	1	RESERVOIR (SE) 7 AC - STRUCTURES PERMIT DJO-0083														7a.	NO	NONE
Comments:																						

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**  
**M E M O R A N D U M**

**TO:** Files

**DATE:** November 1, 2018

**FROM:** Doug Schemm

**RE:** Application, File No. 50,096

Willow Lake Homes Association has filed the above-referenced new application to appropriate 20 acre-feet of surface water storage at a rate not to exceed natural flows of Blue River Trib 3 (Missouri) for recreational use in an existing reservoir. The application is designed to cover the indirect use of water (evaporation) from a reservoir located in the Southeast Quarter of Section 34, in Township 13 South, Range 25 East, Johnson County, Kansas. Based on information in the associated structures permit, the reservoir was built in 1960. The point of diversion represents the point at which the center of the dam intersects the stream, and a representative of the applicant (President) has signed the form stating they have access to this point of diversion. The reservoir is already permitted by the DWR Water Structures Program under File No. DJO-0083. DWR appropriation staff assiduously determined that this existing reservoir did not have the required appropriation permit, and assisted in bringing the applicant into compliance with regulations.

The requested quantity of 20 acre-feet appears to be reasonable for indirect use, based on the following information. The reservoir surface area at normal pool storage elevation is estimated at 7 acres and the storage volume is 48.5 acre-feet. Potential net evaporation in inches, based on K.A.R. 5-6-3, is 4 inches; therefore the natural evaporation can be estimated as follows:

7 acres x 4 inches of evaporation / 12 inches = 2.33 acre-feet (1 year of evaporation)  
2.33 acre-feet x 3 years = 7 AF of evaporation  
Seepage Estimate of 13 acre-feet, for a total storage quantity of 20 acre-feet.

A runoff calculation was not prepared because it is reasonable to assume that with a drainage area in excess of 550 acres, engendering the requested 20 acre-feet of runoff in 1 out of every five (5) years (20% annually), will be readily accomplished. The capacity of the reservoir is the controlling factor. As noted above, the dam is already permitted under DWR Water Structures Program, File No. DJO-0083. Since the reservoir is currently storing water, no Special Condition on the Permit is needed to provide an initial fill quantity.

There are only three other permitted surface water rights within a two-mile radius circle. None of them are located downstream of this reservoir and they would not be impacted in any way. As noted above, this is an existing reservoir (in place since 1960), and the appropriation permit is merely to authorize the on-going beneficial recreational use of water (evaporation) from the reservoir. Typically for these types of applications, nearby landowners are not notified, since they would be cognizant of the current storage of water in this reservoir. In keeping with this consistent processing of new applications, no notification letters are required.

Katherine Tietsort, Water Commissioner, Topeka Field Office, recommended approval of the application in a discussion on November 1, 2018.

Based upon the above discussion, the area is open to new applications, the structure has been properly permitted under DWR water structures program, approval will bring this beneficial use of water into compliance, and there is no indication that the proposed beneficial use of water will impair existing water rights, it is recommended that the referenced application be approved.

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

WILLOW LAKE HOMES ASSOCIATION  
% SCOTT SHER HOA PRESIDENT  
14125 MEADOW LANE  
LEAWOOD KS 66224

December 6, 2018

**FILE COPY**

RE: Appropriation of Water, File No. 50,096

Dear Mr. Sher:

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

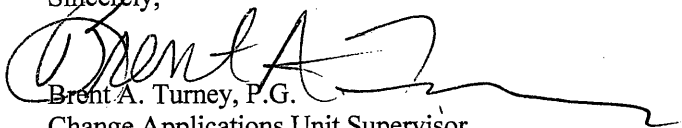
Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this permit. Records must be maintained from which the quantity of water actually diverted may be readily determined. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

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

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

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

Sincerely,

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

BAT: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. 50,096** of the applicant

**WILLOW LAKE HOMES ASSOCIATION  
SCOTT SHER  
14125 MEADOW LANE  
LEAWOOD KS 66224**

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 **August 2, 2018**.
2. That the water sought to be appropriated shall be used for recreational use at a reservoir located in the Southeast Quarter (SE $\frac{1}{4}$ ) of Section 34, in Township 13 South, Range 25 East, Johnson County, Kansas.
3. That the appropriation sought shall be limited to all natural flows of an unnamed tributary to the Blue River, designated in the office of the Chief Engineer as Blue River Trib 3 (Missouri), not needed to satisfy all vested rights and prior appropriation rights to be stored to a maximum extent of **20 acre-feet** per calendar year, in a reservoir created by a dam located in the Southwest Quarter of the Southeast Quarter of the Southeast Quarter (SW $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 34, more particularly described as being near a point 464 feet North and 1,139 feet West of the Southeast corner of said section, in Township 13 South, Range 25 East, Johnson County, Kansas, located substantially as shown on the topographic map accompanying the application.
4. That the structure creating the above referenced reservoir has been assigned Division of Water Resources Structures Permit No. DJO-0083.
5. That installation of works for diversion of water shall be completed on or before **December 31, 2019**, 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 accompanied by the required statutory fee, which is currently \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2023**, or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.

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

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

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

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

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

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

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

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

#### **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 29th day of November, 2018, in Manhattan, Riley County, Kansas.

*Lane P. Letourneau*

Lane P. Letourneau, L.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 29th day of November, 2018, 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 6th day of December, 2018, I hereby certify that the foregoing Approval of Application, File No. 50,096, dated November 29th 2018, was mailed postage prepaid, first class, US mail to the following:

WILLOW LAKE HOMES ASSOCIATION  
SCOTT SHER  
14125 MEADOW LANE  
LEAWOOD KS 66224

With photocopies to:

Topeka Field Office

*Danielle Wilson*

Division of Water Resources

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 50096  
This item to be completed by the Division of Water Resources.

WATER RESOURCES  
RECEIVED

**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.)

AUG 02 2018  
12:43  
KS DEPT OF AGRICULTURE

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

1. Name of Applicant (Please Print): WILLOW LAKE HOMES ASSOCIATION (ATT: SCOTT SHER)  
Address: 2640 143<sup>RD</sup> STREET 14125 MEADOW LANE  
City: LEAWOOD State: KS Zip Code 66224  
Telephone Number: (816) 564-5910

2. The source of water is:  surface water in Tributary to Blue River (Missouri) # 3944  
(stream)  
OR  groundwater in Missouri River Basin \_\_\_\_\_  
(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.

3. The maximum quantity of water desired is 20 acre-feet OR \_\_\_\_\_ gallons per calendar year, to be diverted at a maximum rate of Natural Flow 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. Code	GMD	Meets K.A.R. 5-3-1	(YES/NO)	Use	Source	County	By
	REG		(YES/NO)	REC	G(S)	10	Atw
		Fee \$	200	TR #	Receipt Date	8/2/18	Date
							8/2/18
							Check #
							1003

8/9/2018 CUM



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 SW quarter of the SE quarter of the SE quarter of Section 34, more particularly described as being near a point 464 feet North and 1139 feet West of the Southeast corner of said section, in Township 13 South, Range 25 East, JOHNSON County, Kansas.
- (B) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.
- (C) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.
- (D) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.

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

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

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

\_\_\_\_\_  
(name, address and telephone number)

\_\_\_\_\_  
(name, address and telephone number)

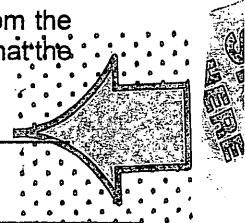
You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

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

Executed on May 15, 2018.

July 28, 2018

Applicant's Signature



7. The proposed project for diversion of water will consist of ONE DAM AND RESERVOIR  
(number of wells, pumps or dams, etc.)  
and (was)(will be) completed (by) Existing dam \_\_\_\_\_  
(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 2018.  
(Mo/Day/Year)

WATER RESOURCES RECEIVED

AUG 02 2018

SCANNED

- 9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?  
 Yes  No If "yes", a check valve shall be required.

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

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

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

- If yes, show the Water Structures permit number here DJO-0083.
- If no, explain here why a Water Structures permit is not required \_\_\_\_\_  
Dam is already permitted under structures program, File No. DJO-0083.

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

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.

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

- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

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

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

NONE

WATER RESOURCES  
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AUG 02 2018

KS DEPT OF AGRICULTURE  
SCANNED

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

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

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

14. The relationship of the applicant to the proposed place where the water will be used is that of

Owner  
(owner, tenant, agent or otherwise)

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

Applicant  
(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 Leawood, Kansas, this 28<sup>th</sup> day of July, 2018  
(month) (year)

[Signature]  
(Applicant Signature)

APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

[Signature]  
(Agent or Officer Signature)

82 - 3589912  
and/or  
APPLICANT(S) TAXPAYER I.D. NO.(S)

SCOTT SHER SHER  
(Agent or Officer - Please Print)

Assisted by DWS TOPEKA FO Date: 5/9/2018

(office/title)  
WATER RESOURCES RECEIVED

AUG 02 2018

KS DEPT OF AGRICULTURE

SCANNED

**RECREATIONAL USE  
SUPPLEMENTAL SHEET**

File No. 50094

Name of Applicant (Please Print): Willow Lake Homes Assoc. \_\_\_\_\_

1. Please indicate type of recreational use (boating, fishing, swimming, etc.): \_\_\_\_\_

2. Please summarize how the water will be used and justify the quantity of water requested: \_\_\_\_\_

Surface Area of Reservoir = 7 acres. (7 acres x 4") / 12 = 2.33 acre-feet of annual evaporation

2.33 acre-feet x 3 years = 7 acre-feet (3 years of indirect evaporation).

Plus seepage quantity of 13 acre-feet, for a combined storage quantity of 20 acre-feet.

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

ESTIMATED FUTURE WATER DIVERTED/STORED	
NEXT 5 YEARS	WATER TO BE DIVERTED (ACRE-FEET OR GALLONS)
Year 1	20 AF
Year 2	
Year 3	
Year 4	
Year 5	20 AF

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

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

Reservoir Located in the Southeast Quarter of Section 34, in Township 13 South, Range 25 East, Johnson Co.

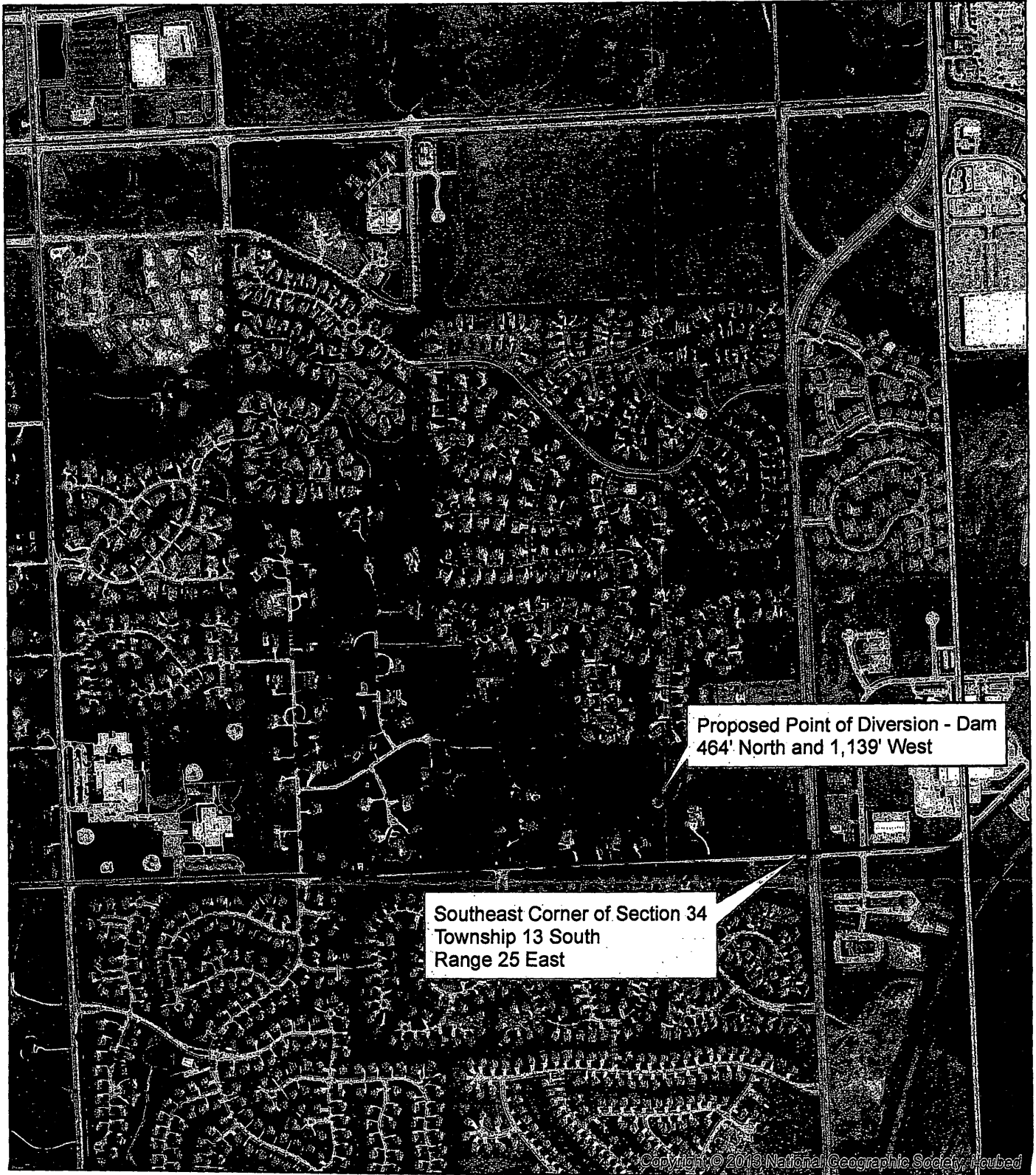
You may attach any additional information you believe will assist in informing the Division of the need for your request.

WATER RESOURCES  
RECEIVED

AUG 02 2018

WILLOW LAKE HOMES ASSOCIATION - SITE MAP  
SEC. 34, T13S, R25E  
JOHNSON COUNTY

50094



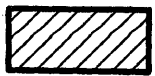
Proposed Point of Diversion - Dam  
464' North and 1,139' West

Southeast Corner of Section 34  
Township 13 South  
Range 25 East

Copyright © 2013 National Geographic Society, Inc.

1:12,000

Proposed Point of Diversion



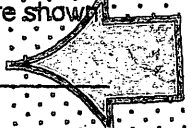
Proposed Place of Use

WATER RESOURCE RECEIVED  
All known landowners adjacent to the stream  
both upstream and downstream are shown

AUG 02 2018

KS DEPT OF AGRICULTURE

SCANNED



WATER RESOURCE RECEIVED

NEW STREAM WORKSHEET

ES AMW

Date: 8/2/18

File No. 500910

Basin Name: Missouri River Basin No. 1

Stream Name: Blue River Trip 3 (Missouri)

Stream location (confluence with parent stream):

Section 14, Township 14 South, Range 25 (East) Missouri  
02

Map Color Coding:

Basin Stream – Blue

Named Main Stream off Basin Stream – Yellow

Named Stream off Main Stream – Green

Unnamed Trib (1, 2, 3, 4, etc.) – Pink

Unnamed Trib to Unnamed Trib (A, B, C, etc.) – Orange

Unnamed Trib to Unnamed Trib to Unnamed Trib (1, 2, 3, etc.) – Purple

---

Stream No. 3 9 4 4 (computer assigned - entered by data entry staff)

Date Entered 8/9/2018 By LLM

50096

Date: 7/25/2018

To: Chief Engineer of Water Resources

From: Stan Lewis (Treasurer of Willow Lake HOA in Leawood, KS)

Re. Application for Permit to Appropriate Water for Beneficial Use

The application referenced above was sent May 15<sup>th</sup>, 2018 along with a check for \$200 for the application fee. Unfortunately the package was lost in the mail. I spoke to Doug Schemm today and he found no record of the the application or the check.

Doug instructed me to have the application re-signed in blue ink in sections 6 & 16, and to enclose a new check, and resend the package to the address on Research Park Dr. in Manhattan, KS.

Please send the permit to Scott Sher (HOA President – mailing address in section 1 of application – and he will distribute a copy to me and our HOA attorney.

If you have questions please feel free to contact me (913-558-8603) or Scott Sher (816-564-5910)

Thank you,

Stan Lewis

WATER RESOURCES  
RECEIVED

AUG 02 2018

SCANNED  
KS DEPT OF AGRICULTURE

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

WILLOW LAKE HOMES ASSOCIATION  
SCOTT SHER  
14125 MEADOW LANE  
LEAWOOD, KS 66224

8/6/2018

RE: Application, File No. **50096**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application for a permit to appropriate water for beneficial use. Your application has been assigned the file number referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation Act, the use of water as proposed prior to approval of the application is unlawful.

Additional information about the process may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any other questions, please contact our office at 785-564-6640 or your local Topeka Field Office at 785-296-5733. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum  
New Application Unit Supervisor  
Division of Water Resources

SCANNED



AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50096 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50096 00 REC

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

464 Feet North and 1139 Feet West of the Southeast Corner of Section 34 T 13S R 25E

SURFACE WATER ONLY

```

=====
File Number   Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth_Quan Add_Quan Unit
A__ 38131 00 REC NK S      4689 -- SE NE NE 4150 275 4 14 25E 1      .00      .00 AF
A__ 40823 00 IRR NK S      7387 -- -- -- -- 3762 895 11 14 25E 2      122.70 122.70 AF
A__ 44675 00 IRR NK S      5975 -- NW NE NE 5060 1271 10 14 25E 1      52.00 27.30 AF
A__ 50096 00 REC AY S        0 -- SW SE SE 464 1139 34 13 25E 1      20.00 20.00 AF
=====
    
```

```

=====
Total Net Quantities Authorized:   Direct      Storage
Total Requested Amount (AF) =      20.00      20.00
Total Permitted Amount (AF) =       .00       .00
Total Inspected Amount (AF) =       .00       .00
Total Pro_Cert Amount (AF) =       .00       .00
Total Certified Amount (AF) =     150.00      4.40
Total Vested Amount (AF) =         .00       .00
TOTAL AMOUNT (AF) =      170.00      24.40
=====
    
```

An \* after the source of supply indicates a pending application for change under the file number.  
 An \* after the ID indicates a 15 AF exemption was granted under the file number.  
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.  
 The number in the Batt column is the number of wells in the battery.

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

464 Feet North and 1139 Feet West of the Southeast Corner of Section 34 T 13S R 25E

SURFACE WATER ONLY

WATER USE CORRESPONDENTS:

```

=====
File Number   Use ST SR
A__ 38131 00 REC NK S
> HAYWARD SPEARS SR
>
> 14400 MISSION RD
> LEAWOOD KS 66224
>-----
A__ 40823 00 IRR NK S
> CITY OF LEAWOOD
> IRONHORSE GOLF CLUB
> 15300 MISSION RD
> LEAWOOD KS 66224
>-----
A__ 44675 00 IRR NK S
> CITY OF LEAWOOD
> IRONHORSE GOLF CLUB
> 15300 MISSION RD
> LEAWOOD KS 66224
>-----
A__ 50096 00 REC AY S
> WILLOW LAKE HOMES ASSOCIATION
    
```

> SCOTT SHER  
> 14125 MEADOW LANE  
> LEAWOOD KS 66224

>-----

=====

#####

DJO-83

# 50,096

Query ENGINEERING DATA

ENGINEERING INFORMATION

Eng Data Id: 5776 Group: Farm Type Of Dam: Ps Type: CYOP Phase 1 Insp:

National Id: 1167 Water Right#: Dam Length: 850 Ps Material: M Plans:

Hez Class: 4 Size Class: 2 Dam Height: 28 Ps Size: 24 Priv On Fnd:

Purpose: 5 Nearest City Town: MARTIN CITY Volume Of Fill: 26278 Eo Type: 3 Rec Updated:

Purpose 2: 3 Distance To City Town: 3 Spillway Type: Es Width: 94 State Regulated:

Purpose 3: Funding: Assessment: UNSATISFACTORY Eap Status: APPROVED EAP IS APPROVED MAP:

Elevation: Streambed: 980 Area: Storage(ac-ft): Discharge (cfs): Amt Egs:

PS: 900 PS: 7 PS: 48.5 ES: Drawd D: 15

ES: 904 ES: 10.46 ES: 83.4 TOD: 320 Core:

TOD: 908 TOD: 16.1 TOD: 136.5 Foundation:

Rotation Schedule: 12

Obj DI Name: KSNONAME 1167 Dam Former Name: Designer: USDA SCS Hydraulic Height: 26

Remarks: Rvr: STM BLUE RIVER-TR Structural Height: 27 Outlet Gates:

WSI EAP HAZARD

ID	Type	County	Num	EXT	Application Recd Date	File Location	Applicant
10019	D	JO	83			AK	GIBLIN

DJO-83 # 50,096

WSI01 Query: WSI, ENG, WSI\_TRANSACTIONS, WATER\_RIGHTS, LOCATIONS, WAIVERS, ECA, ITRAIL, COMPLIANCE, IMAGES, WSI\_ACTIONS

STRUCTURE NUMBER: D JO 0083 Ws # 10016 LAST# 256

APPLICATION: App Recd Date

INDICATORS: Pending Complaint  App Mod  Pending Mod  After the Fact  General Permits  Levee Ind  Corps  App Proc Time  DWAP  Total  Location  Put Date 04-10-2013

REVIEWER: INIT [LINK] CURRENT STATUS: Permit ECA Project Activity: Site Name: WILLOW LAKE Stream: BLUE RIVER-TR HDOT Type: [ ]

File Location: A:GK Compliance: Permit APPROVED EXP

APPLICANT: LAST: GIBLIN FIRST: CJ

OWNER: LAST: WILLOW LAKES HOMES ASSOCIATION LLC FIRST: [ ]

DESIGNER: LAST: UNKNOWN FIRST: [ ]

Const Comp Date: 01-01-1993 DDA 562 Remarks: 3 ADDL OWNERS-SEE AFF/ND PO TOPEKA

WSI ACT ALL ACT LOCATION ECA APPLICANT OWNER DESIGNER ENG COMPLAINT MOD ACT PROJECT

ACTIONS: LOCATION ECA FEE ITRAIL LEGAL WAIVER WR IMAGE CMPV MODIFICATION TAXED AFF/ND

Date	Action	Deadline Date	Remarks
03-11-2011	INFORMATION FOR FILE		APPEARS T
03-11-2011	INFORMATION FOR FILE		QUERY FR
03-09-1999	PERMIT ISSUED PENDING COMPLETION		PERMIT ISS