NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

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**



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	Water Resources Received
	(Check one or more)	AUG 14 2020
	File No	KS Dept Of Agriculture
2.	Name of applicant: City of Olathe, Kansas	· · · · · · · · · · · · · · · · · · ·
	Address: City of Olathe Public Works, Attn Sabrina Parker, 1385	5 S. Robinson Drive
	City, State and Zip: Olathe, Kansas 66061	
	Phone Number: (913) 971-9116 E-mail address: sparke	er2@olatheks.org
	What is your relationship to the water right; ☒ owner ☐ tenant ☐ agent ☐	
	Name of water use correspondent:	
	Address:	
	City, State and Zip:	
	Phone Number: () E-mail address:	
3.	The change(s) proposed herein are desired for the following reasons (please because The City is planning to redevelop the physical capacity of the VWF through	
	The City is proposing to change from the existing eight (8) vertical wells to	the full total of eleven (11) wells which
	were originally authorized under water right 10042.	
	The change(s) (was) (will be) completed by December	er 31, 2024 (Date)
_		
F.	or Office Use Only: O1_ GMD Meets K.A.R. 5-5-1 (YES / NO) Use _MUN	County By KJN Date 8/17/2020 of Date 8/14/2020 Check # 232/69
	8/18/20 LMood	020
Dν	VR 1-120 (Revised 06/16/2014)	Assisted by:

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7.	The proposed point(s) of diversion (is) (are)	even (11) verticai well:	(Provide description and nu	well"	
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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY AUG 14 2020

		File No	10042
6	The presently authorized point(s) of diversion (is) (are) Eight (8) vertical wells		
0.	The presently authorized point(s) of diversion (is) (are) Eight (8) vertical wells (Provide description and (Provide des	number of points)	
7.	The proposed point(s) of diversion (is) (are) Eleven (11) vertical wells & one (1) standby (Provide description and	well *	·
		number of points)	
. 1	List all presently authorized point(s) of diversion:		
8.	Presently authorized point of diversion: One in the Northwest Ougster of the Northwest Ougster of the	Northwest	Quarter
11 5	One in the Northwest Quarter of the Northwest Quarter of the of Section 25 , Township 12 South, Range	22F	Quarter
ing We	in Johnson County, Kansas, 5020 feet North 5180 feet West	of Southeast co	ner of section
kisti	Authorized Rate 1045 gpm Authorized Quantity 1985.918 MGY	or coulineast con	THE OF SCOTION.
Existing Vertical Well	(DWR use only: Computer ID No. 3 GPS 5003 feet North 5096	feet	West)
>	☐ This point will not be changed ☐ This point will be changed as follows:		**COL)
	Proposed point of diversion: (Complete only if change is requested)		
15	One in the Northwest Quarter of the Northwest Quarter of the	Northwest	Quarter
et Nel	of Section 25 Township 12 South Range	22E	(F/W)
Offset Vertical Well !	One in the Northwest Quarter of the Northwest Quarter of the of Section 25 , Township 12 South, Range in Johnson County, Kansas, 5020 feet Nor50965160 feet West	of Southeast co	rner of section.
ertic	Proposed Rate 940 gpm Proposed Quantity 1985.918 MGY Blanket quant	ity as certified	d & 2015 order
Š	This point is: Additional Well Geo Center List other water rights that will use this po	-	
9.	Presently authorized point of diversion:	N	
10	One in the NC of E/2 Quarter of the Northwest Quarter of the	Northwest	Quarter
D (0)	of Section25, Township12South, Range _	22E_	(E/W),
<u> </u>	in Johnson County, Kansas, 4610 feet North 4325 feet West	of Southeast co	rner of section.
ţi Ľ	Authorized Rate 770 gpm Authorized Quantity 1985,918 MGY (DWR use only: Computer ID No. 5 GPS 4577 feet North	£4	
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َ وَ ي	of Section 25 Township 12 South Pange	22F	· Quarter
al We	of Section 25, Township 12 South, Range	of Southeast co	rner of section
Vertical Well 10	Proposed Rate 600 gpm Proposed Quantity 1985.918 MGY Blanket quant	ity as certified	d & 2015 order
Ver	This point is: Additional Well Geo Center List other water rights that will use this po	nint None*	
-	This point is. Thoughtonar view a coo contain the cut of high containing the and will doe and per		<u>`</u>
10.	Presently authorized point of diversion:		
	One in the Northeast Quarter of the Northwest Quarter of the of Section 25 , Township 12 South, Range	Northwest	Quarter
9	of Section South, Range _	22E	(E/W),
ĕ	in Johnson County, Kansas, <u>5140</u> feet North <u>4415</u> feet West	of Southeast co	rner of section.
Vertical Well 6	Authorized Rate 1035 gpm Authorized Quantity 1985.918 MGY	_	
erti n	(DWR use only: Computer ID No. 4 GPS 5116 feet North 441	feet	West)
>	☐ This point will not be changed This point will be changed as follows:		
<u>s</u>	Proposed point of diversion: (Complete only if change is requested)		
/6 a	One in the Northeast Quarter of the Northwest Quarter of the of Section 25 , Township 12 South, Range in Johnson County, Kansas, 165140 feet North 4415 feet West	Northwest	Quarter
\$ \$	of Section 25 , Township 12 South, Range _	22E	(E/VV),
ain Idb			
Maintain VW6 as Standby Well	Proposed Rate 1035 gpm Proposed Quantity 1985.918 MGY Blanket quantity	•	
	This point is: Additional Well Geo Center List other water rights that will use this po		
11	. Describe the current condition of and future plans for any point(s) of diversion which will no	_	
	As new wells are completed, old wells will be plugged and abandoned per KDHE specifications.	VVV6 will become	∍ a standby well

					File No.	0042
6	The presently authorized point(s) of diversion (is) (are)	Eight (8) vertic	al wells		
				(Provide description and n		
7.	The proposed point(s) of diversion	on (is) (are)eleven (´	11) vertical wells	& one (1) standb	y well *	
				(Provide description and n	umber of points)	
	List all presently authorized po					
8.	Presently authorized point of o					
	One in the					
	of Section					
6R	in Cou				of Southeast corne	r of section.
New Vertical Well (VW6R)	Authorized Rate	Authorized Quantity	/			
<u>,</u>	(DWR use only: Computer ID				feet We	st)
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<i>></i>	of Section25	, Township	12	South, Range	22E	(E/W),
Š	in Johnson Cou					
	Proposed Rate 500 gpm	Proposed Quantity	1985.918 MC	BY Blanket quantit	y as certified &	2015 order*
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t Vell	of Section 24	Quarter of the	12	Quarter of the	22E	Quarter
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	rsion (is) (are)	11) Vertical Wells			
all presently authorized			(Provide description and nur	mber of points)	-
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sently authorized point of			EXPERIENCE DE L'ANNE DE		
in the			Quarter of the		Quarter
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oosed point of diversion	: (Complete only if char	nge is requested)			
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					2015 order
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norized Rate	Authorized Quantity	V			
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posed point of diversion	: (Complete only if cha	nge is requested)			
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ection 24	, Township	12	South, Range	22E	(E/W),
Johnson	County, Kansas, <u>1281</u>	feet North4	feet West of	Southeast corner	of section.
posed Rate 400 gpm	Proposed Quantity	1985.918 MGY	Blanket quantity	as certified &	2015 order
point is: X Additional W	ell Geo Center List	other water rights	that will use this poin	t None*	
cribe the current condition	of and future plans for a	ny point(s) of diver	sion which will no lon	ger be used.	
new wells are completed, o	ld wells will be plugged an	d abandoned per KI	DHE specifications. V	W6 will become a s	tandby well
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	orized Rate	County, Kansas,	County, Kansas,	County, Kansas, feet North feet West of orized Rate Authorized Quantity Ruse only: Computer ID No. GPS feet North bis point will not be changed This point will be changed as follows: Dosed point of diversion: (Complete only if change is requested)	County, Kansas, feet North feet West of Southeast corner orized Rate Authorized Quantity R use only: Computer ID No. GPS feet North feet West of Southeast corner orized Rate Quarter of the Southwest Quarter of the Northwest Quarter of the Southwest Quarter of the Quarter of the Southwest Quarter of the Southwest Quarter of the Quarter of the Southwest Quarter of the Get North Get West of Southeast corner orized Rate Authorized Quantity Get North Get West of Southeast corner orized Rate Authorized Quantity Quarter of the Get North Get West of Southwest Corner orized Rate Authorized Quantity Quarter of the Northwest Quarter of the Quarter of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of the Quarter of the Northwest Quarter o

* LI/ DWR

AUG 14 2020

				File No.
. Th	ne pre	esently authorized use of water is for	Municipal	purposes.
	-	posed that the use be changed to		purposes.
TI 1,	ne ra 985.9		t of diversion the authorize the control of the con	zed quantity will remain as a blanket quant pints of diversion as proposed by this char
(P)	lease	show any calculations here.)		
	-	quested that the maximum annual quantity of		No Change (acre-feet or million gallons).
. It i	is req	quested that the maximum rate of diversion of	f water be reduced to No	Change gallons per minute (c.f.s.).
1:: Ka Di sh	24,00 ansas istand nould	plication must include either a topographic none, is available through the Kansas Geolog 6 66047-3726 (www.usgs.gov). The map shows North and West of the Southeast corner also be shown. Identify the center of the secutive of the same of the map.	ical Survey, 1930 Constan ould show the location of the of the section must be sho ction, the section lines and ti	t Avenue, University of Kansas, Lawrence, ne presently authorized point(s) of diversion. The presently authorized place of use he section corners and show the appropriate
a.	If a	a change in the location of the point(s) of dive	rsion is proposed, show:	
	1)	The location of the proposed point(s) of diversity be shown. Please be certain that the Paragraph Nos. 9, 10 and 11 of the application.	e information shown on the	d West of the Southeast corner of the section e map agrees with the information shown in
	2)	domestic wells, within 1/2 mile of the propos	sed well or wells. Identify e	existing water wells of any kind, including each well as to its use and furnish name and within ½ mile, please indicate so on the map.
	3)	If the source of supply is surface water, the and $\frac{1}{2}$ mile upstream from your property line		sses of all landowner(s) ½ mile downstream
lo w m	cei ttach cal so ell log ade t	a change in the place of use is desired, sho rtain that the information shown on the map of documentation to show the change(s) proposition or supply as to which the water right right that the logs, and other information as ribelow. Burns & McDonnell letter dated July 28	agrees with the information s osed herein will not impair e elates. This information ma necessary information to sho	shown in Paragraph No. 5 of the application. existing water rights and relates to the same by include statements, plats, geology reports,
_				AUG 14 2020
_				KS Dept Of Agriculture
id	entify eques	the rules and regulations for which you red	quest a waiver. State the reachowing that granting the rea	the Kansas Water Appropriation Act, please eason why a waiver is needed and why the quest will not impair existing water rights and

10042

042

Any use of water that is not as authorized by the water right or permit to authorize water <u>before</u> 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 a authorized to make this application on their behalf, and declare furth complete. By filing this application I authorize the chief engineer to be as specified in sections 14 and 15 of this application.	er that the statements contained herein are true, correct, and ermanently reduce the quantity of water and/or rate of diversion
Dated at Clothe Kansas, this	7th day of August , 20 20.
Intrusa a. Parter P.E.	
(Owner)	(Spouse)
Sabrina A. Parker, P.E.	
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
	NDA M. WOLLSCHLAGER My Appointment Expires January 3, 2023
I hereby certify that the foregoing application was signed in my parameters, 20 20.	presence and sworn to before me this day of
My Commission Expires <u>January</u> 3, 2023	Linda Wallachlager Notary Public
FEE SCHED	ULE
Each application to change the place of use, the point of diversion or the use application fee set forth in the schedule below:	e made of the water under this section shall be accompanied by the
(1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet	

Make check payable to Kansas Department of Agriculture.



Legend

- Standby Well (After Completion of 6R)
- Restore Well Site / New Well Site
- 0 **Existing Well Site**



Change Application 10042

Existing and Proposed Points of Diversion Map Water Resources Received

AUG 14 2020

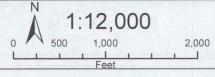


Legend

Standby Well (After Completion of 6R)

Restore Well Site / New Well Site

Existing Well Site



and Water Rights Within One-Half Mile of Existing or Proposed Points of Diversion (See Attached Address List)

Groundwater Wells Within ½ Mile (see attached map)

- 1 CARRIAGE HOUSES OF JOHNSON COUNTY LLC, 12553 WALMER STREET, OVERLAND PARK, KS 66209
- 2 DAVID M PENNY TRUST, CARMILETTA J PENNY TRUST, 643 TENNESSEE ST, LAWRENCE, KS 66044

Water Resources Received

AUG 14 2020

KS Dept Of Agriculture

ATTACHMENT 1 - DWR COMMENTARY ON POTENTIAL WATER RIGHT MODIFICATIONS TO 10042

Water Resources Received

AUG 14 2020

The odd part of this is that the wells closed out were not nearest to the Collector well portwer they it to most impacted. In fact, a greater understanding among large PWS including Olathe has evolved about how to use interaction by wells local to each other and the stream to basically induce surface water infiltration from the River particularly for Kansas River Water Assurance District members; Olathe is a member of the District and all their files for municipal supply are backed by the KRWAD. Others that do this would include, for example, Manhattan and Junction City, who specifically place wells to increase surface water infiltration.

The City wishes to bring back the three wells they reduced off the water right for pumping flexibility especially in consideration of induced recharge. Since these wells originally carried zero additional pate to the file, it seems that bringing back the three wells for flexibility purposes in pumping the well field shouldn't be a problem, would not allow anything over that which was originally authorized or that which was developed within the perfection period and certified. It seems that from a basic perspective-zero additional is still zero additional so nothing changes. Allowing them to bring the wells back does not allow anything over the actually pumped and certified values. Additionally, our understanding of large PWS systems and induced recharge should probably be considered versus the strict interpretation of "must meet spacing" mentality even to their own wells that apparently existed at the time the collector well was permitted and these conditions were added.

The change unit, Brent Turney, identifies that to meet the regulations, the City can bring the wells back, but the rate is gone so they have no rate and any rate would have to come from reducing the currently assigned maximum rate by well, reassigning the currently authorized 6690 gpm and requiring the rates from each well be physically restrained to the reduced rates. My understanding is that was traditionally how the DWR operated under the regulations, although I don't know of another case specifically like this one. He identified that they could file for a rate-only application to get another 15%, which would be 1003.5 gpm under a rate only application

Justification to this concern:

It seems the City attempted to comply with what the permit conditions required and now find themselves in a situation that we need to consider because it may not make sense. Rather than file for a rate only app, which actually in my opinion meets K.A.R. 5-4-5 (b) which would allow far greater than 15% all the way up to the original capacity value once the 11 wells are back in place could be filed for since they would be asking to bring them back to what was originally approved for and actually diverted, won't impair, and will not increase consumptive use nor affect public interest. This option just really complicates the pumping matrix in determining which right is being pumped for the purposes of perfection, since an instantaneous accounting year round from SCADA would need to be used to determine when the rate only file would be pumping. Additionally, new applications could be approved on each well since the modeling shows positive recharge interaction between wells with reduced spacing so spacing is approvable and safe yield would be waived due to the KRWAD membership under any well proposed within 1320 feet of the Kansas River.

Decision:

The City will be allowed to file an application under File No. 10,042 for change in point of diversion to add the requested three wells back to the water right, assign each the rates of the wells reduced off, with zero additional, and allow the City to regain the flexibility in pumping their well field they need. The overall limitation should remain at 5215 gpm. No waivers are necessary.

The City will be allowed to file an application under File No. 10,042 for change in point of diversion to add the requested three wells back to the water right, assign each the rates of the wells reduced off, with zero additional, and allow the City to regain the flexibility in pumping their well field they need. The overall limitation should remain at 5215 gpm. Prepare a waiver of the regulation and I will sign it based on the unique circumstances of this case as compared to all other cases.

Allow the City to file the change application in PD under Water Right, File No. 10.042 that allows only to add back wells (up to three) by assigning only the currently authorized 6690 gpm with the overall limitation of 5215 gpm remaining to each well. Allow the City to file a rate only application for

the rate of diversion they want over and above the 6690 gpm and the 5215 gpm limitation. This may only be up to 15% or 1003.5 gpm. Require the City by Permit Condition to submit annually the data showing the rate of each well on every minute of the year to determine which file is being pumped.

Allow the City to file the change application in PD under Water Right, File No. 10.042 that allows only to add back wells (up to three) by assigning only the currently authorized 6690 gpm with the overall limitation of 5215 gpm remaining to each well. Allow the City to file a rate only application for the rate of diversion they want over and above the 6690 gpm and the 5215 gpm limitation. This may be any value up to 15% or in excess of 15%. Require the City by Permit Condition to submit annually the data showing the rate of each well on every minute of the year to determine which file is being pumped.

David W. Barfield, P.E. Chief Engineer

APR 12 2016

APR 12 2016

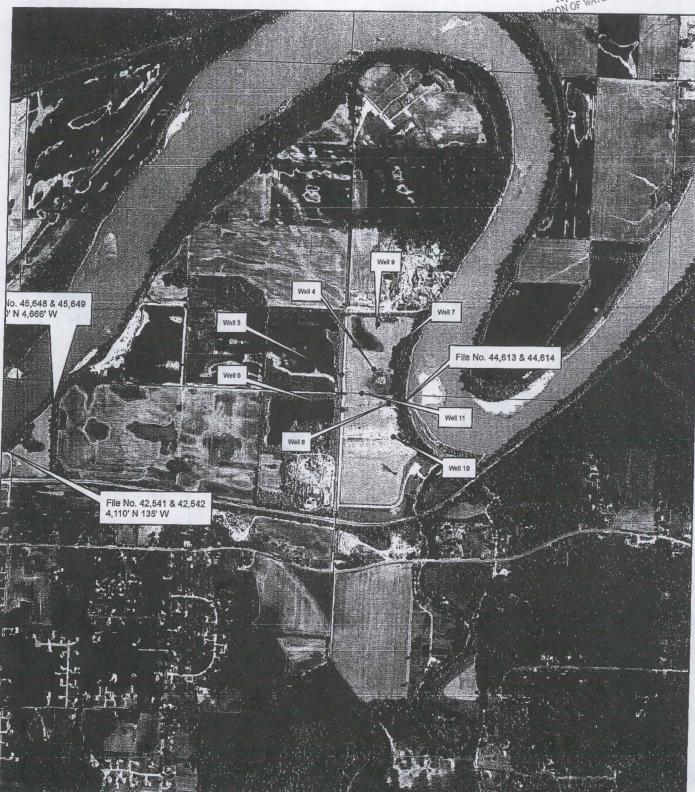
TOPENS FIELD OFFICE RESOURCES

DIVISION OF WATER RESOURCES

City of Olathe

APR 12 2016

Topeka Field Office
Topeka Field Office
NON OF WATER RESOURCES

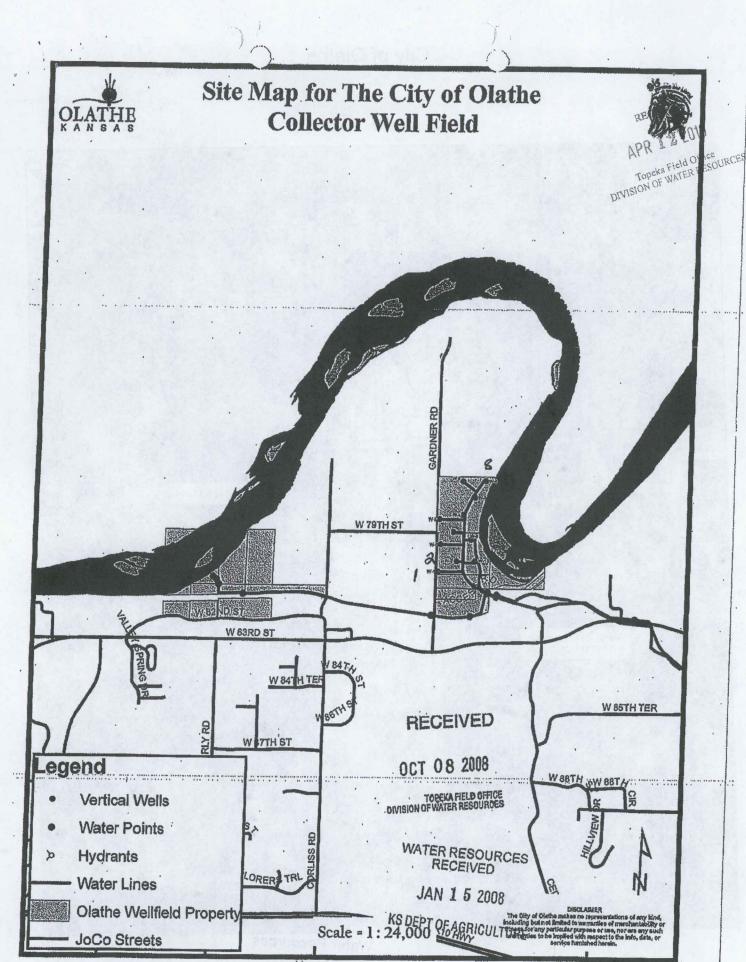


Water Resources Received

AUG 14 2020

KS Dept Of Agriculture

SCANNED



SCANNED



August 4, 2020

Chris Beightel, P.E.
Chief Engineer
Kansas Dept. of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

Re: City of Olathe Change Application 10042

Mr. Beightel,

Please find the enclosed payment and application to change the point of diversion for water right number 10042. A detailed explanation of the requested of changes has been included with the application.

Parter, P.E.

If you have any questions, please feel free to contact me by email at SParker@OlatheKS.org or by phone at (913) 971-9116.

Sincerely,

Sabrina Parker, P.E.

Water & Sewer Manager

City of Olathe, KS

RECEIVED WATER RESOURCES

AUG 1 4 2020

KS DEPT AGRICULTURE



July 29, 2020

Chris Beightel, P.E. Chief Engineer Division of Water Resources Kansas Department of Agriculture 1320 Research Park Drive Manhattan, Kansas 66502

Re: City of Olathe Change Application 10042

Dear Mr. Beightel:

The City of Olathe, Kansas (City) obtains raw water supply from four horizontal collector wells and a vertical wellfield (VWF) located along the Kansas River. The eight (8) existing vertical wells in the VWF are authorized by water right number 10042. Water right number 10042 originally authorized eleven (11) vertical wells until the year 2008 when the City voluntarily requested the removal of three vertical wells (VW1, VW2, and VW8). In an order dated October 6, 2008 the Division of Water Resources (DWR) removed VW1, VW2, and VW8 as authorized points of diversion from Water Right 10042 at the request of the City. Vertical wells VW1, VW2, and VW8 were subsequently plugged and abandoned as part of a phased well closeout plan at the time.

The City is currently planning to redevelop the physical capacity of the VWF by implementing a phased wellfield improvement plan which will involve construction of wells at new locations and offset wells near existing well sites. Previous communication with DWR indicates that DWR will allow the City to restore 10042 to include up to eleven (11) points of diversion (Attachment 1). The phased wellfield improvement plan anticipates restoration of the number of active wells to the eleven (11) originally granted by water right 10042.

Enclosed for your consideration is a change in point of diversion application which reflects the anticipated wellfield improvements as outlined below and in Table 1:

- The application proposes a new well site VW6R located near the southeastern portion of the VWF property.
- The application proposes to re-establish wells near the previous locations of VW1, VW2, and VW8.
- The application proposes re-drilling or offset wells near the existing locations of VW10, VW5, VW11, VW7, VW9, VW3R, and VW4R
- The application proposes to convert existing VW6 into a standby well
- The application includes a proposed re-distribution of the total authorized rate of 6,990 gallons per minute (GPM) to the proposed points of diversion to improve the alignment of individual well authorized pumping rates with anticipated well capacity.
- There is no proposed modification to the bulk rate limitation (5,215 GPM) or the bulk quantity limitation (2,570.907 Million Gallons per Year) for water right 10042.

RECEIVED WATER RESOURCES

AUG 1 4 2020 KS DEPTAGRICULTURE

9400 Ward Parkway \ Kansas City, MO 64114 **O** 816-333-9400 \ **F** 816-333-3690 \ burnsmcd.com



Chief Engineer Kansas Department of Agriculture July 29, 2020 Page 2

Table 1 – Change in Point of Diversion Application Summary

Replacement	Project	Well	Proposed Point of	Existing Rate	Proposed Rate
Sequence	Phase	Site	Diversion Change	(GPM)	(GPM)
1		VW1	New Vertical Well	N/A	950
2	1	VW2	New Vertical Well	N/A	800
3	1	VW10	Offset Well	770	600
4		VW6R	New Vertical Well	N/A	500
5	restriction to the	VW5	Offset Well	1045	940
6	Walter To	VW11	Offset Well	800	800
7		VW7	Offset Well	1005	400
8	in iduals at La	VW8	New Vertical Well	N/A	400
9	Future	VW3R	Offset Well	730	600
10	VOL.	VW4R	Offset Well	775	600
11	Description of	VW9	Offset Well	830	400
12		VW6	Change to Standby	1035	Standby Well
		Totals		6990	6990

The City currently anticipates drilling and completion of new well sites in project phases over multiple years. Phase 1 of the project is projected to be completed by the end of year 2021. The construction of remaining wells sites in future phases may not occur within the typical timeline allotted for completion of diversion works associated with simple change applications. Due to the phased nature of the project, the City is requesting an extended time for completion of diversion works through December 31, 2024. If the change applications are approved, the City will maintain communication with DWR throughout the progress of the wellfield improvements project to ensure DWR has up to date records on number of wells, well locations, and water meter installations.

Should you have any questions regarding the VWF improvement project or the enclosed change in point of diversion application please feel free to contact me directly.

Sincerely.

Daniel Clement, P.G. Senior Hydrogeologist

DWC/dwc

Enclosure – 10042 Change in Point of Diversion Application

Attachment 1 - DWR commentary on potential water right modifications to 10042

cc: Nicole Woods, Project Manager, City of Olathe, Public Works

Sabrina Parker, P.E., City of Olathe, Public Works

1320 Research Park Drive Manhattan, KS 66502 785-564-6700 www. agriculture.ks.gov



900 SW Jackson, Room 456 Topeka, KS 66612 785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

August 20, 2020

CITY OF OLATHE KANSAS 1385 S ROBINSON DRIVE OLATHE KS 66061

RE: File No(s). 10042

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) to change the place of use, point of diversion or use made of water for the file number(s) 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(s) and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation(s) Act, the use of water as proposed prior to approval of the application(s) is unlawful.

Additional information about the process may be found on our website at <u>agriculture.ks.gov/divisions-programs/dwr</u>. 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,

Richelle Krueger Change Unit Lead

Water Appropriation Program

Richelle a. Krueger

1320 Research Park Drive Manhattan, KS 66502 785-564-6700 www. agriculture.ks.gov



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Richelle a. Krueger

Richelle Krueger Change Unit Lead

Water Appropriation Program

Discussion 4/12/16- David Barfield, Lane Letourneau, Brent Turney, Katie Tietsort

DIVISION OF WATER RESOURCES

OLATHE PROPOSAL

1. File No. 10,042 is currently authorized 8 wells with a total diversion rate of 6,690 gpm, limited to a rate not to exceed 5,215 gpm when operated simultaneously, with a blanket quantity of 1,985.918 million gallons.

In order to add back the 3 wells under File No. 10,042, each of the new wells must be assigned a portion of the total 6,690 gpm. For this discussion, lets say they assign each of the 3 new wells 100 gpm. The original 8 wells must be reduced by a total of 300 gallons per minute. The right will still be limited in rate to 5,215 gpm and there will be no change in the quantity of water for the entire right.

2. File 3 new applications to appropriate water for additional rate and potentially additional quantity if desired. Each well could propose 1,000 gpm and 200 million gallons. Because the new applications will be located in the Kansas River Water Assurance District, I feel that the applications should not be restrained to only 15% additional rate of diversion.

In order to maintain the status quo of the existing well field, the applications would each be authorized 1,000 gpm and 200 million gallons with the following limitations. No additional quantity.

Application No. 1:

Limit to 5,215 gpm and 1,985.918 million gallons when combined with File No. 10,042.

Perfection: quantity in max year at rate perfected, limited to 1,985.918 million gallons when combined with File No. 10,042. No rate limit.

Application No. 2:

Limit to 5,215 gpm and 1,985.918 million gallons when combined with File No. 10,042 and Application No. 1.

Perfection: quantity in max year at rate perfected, limited to 1,985.918 million gallons when combined with File No. 10,042. No rate limit.

Application No. 3:

Limit to 5,215 gpm and 1,985.918 million gallons when combined with File No. 10,042, Application No. 1 and Application No. 2.

Perfection: quantity in max year at rate perfected, limited to 1,985.918 million gallons when combined with File No. 10.042. No rate limit.

I don't feel that additional limitations will be necessary since the above limitations give them no net additional quantity, but if it is felt that it needed each new application would be limited to the city's total of 9,524.773 mgy when combined with all early rights owned by the city.

Well-field design is reduced spacing.

Water Resources Received SCANNED

AUG 14 2020

KS Dept Of Agriculture

SCANNED