

Submit To:
CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502-5000
<http://agriculture.ks.gov/dwr>

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

Water Resources
Received
KS Dept Of Agriculture
State of Kansas



STATUTORY FILING FEE MUST ACCOMPANY THIS APPLICATION
Please refer to the Fee Schedule attached to this application form.

File Number: **51388**

This item to be completed by the Division of Water Resources staff.

1. Name of Applicant:

Address:

City:

State:

Zip Code:

Phone:

Email:

2. The source of water is: surface water in

(stream)

groundwater in

(drainage basin)

3. The maximum annual quantity of water desired is

acre-feet

gallons

to be diverted at a maximum rate of

gpm

c.f.s.

natural flows

natural evaporation

This project involves surface water storage and redirection. The maximum annual quantity of water desired to be

rediverted is

acre-feet

gallons, at a rate of

gpm

c.f.s.

Conversion Factors

1 acre-foot (AF) = 325,851 gallons

1 million gallons (mg) = 3.07 acre-feet (AF)

1 cubic foot per second (c.f.s.) = 448.8 gallons per minute (gpm)

IMPORTANT: Once your application has been assigned a priority date and file number, the requested maximum rate of diversion and maximum requested annual quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum annual quantity of water are appropriate and reasonable for your proposed project.

4. The water is intended to be appropriated for the following use(s):

Artificial Recharge*

Irrigation*

Recreational*

Water Power*

Industrial*

Municipal*

Stockwatering*

Sediment Control

Domestic

Dewatering

Hydraulic Dredging

Fire Protection

Thermal Exchange

Contamination Remediation

***IMPORTANT:** You **must** submit a supplemental form providing information to substantiate your request for the quantity of water listed in Item No. 3 for the intended use(s) referenced above.

FOR OFFICE USE ONLY																	
Code	RE3	FO	1	GMD	-	DUA	-	Use	IRR	Source	SW	County	JO	By	KJN	Date	12/31/24
Fee \$	360	TR #	PY2412C5A34			Receipt Date	12/30/2024		Check #								

5. The location(s) of the proposed diversion work(s) (well, pumpsite, etc.) are described below. Note that for the application to be accepted, the point of diversion location(s) **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. You can specify a nickname for the point of diversion via the A.K.A. line to help you identify it.

12/30/2024

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 (¼) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

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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 800gpm and which supply water to a common distribution system.

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(A) 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 E W, County, KS. A.K.A:

(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 E W, County, KS. A.K.A:

(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 E W, County, KS. A.K.A:

(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 E W, County, KS. A.K.A:

(E) 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 E W, County, KS. A.K.A:

6. The proposed project for diversion of water will consist of

(number of wells, pumps, dams, etc.)

and was/will be completed on or by the following date:

(date each was or will be completed)

7. The first actual application of water for the proposed beneficial use was or is estimated to be

(Date)

8. List any application, appropriation of water, water right, or vested right file number that covers the same point(s) of diversion 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.

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 DWR prior to submitting this application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.
Have you made an application for a permit for construction of this dam and reservoir with DWR? Yes No
If yes, write the Water Structures permit number here: 12/30/2024

11. Furnish a detailed topographic or aerial map that depicts the following information: Water Resources Received
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The application **must** be supplemented by a topographic map, aerial photograph or a detailed plat showing the information described in A-D below.

- (A) The center of the section, the section lines or the section corners, and labels showing the appropriate section, township and range numbers, as well as a north arrow and scale,
- (B) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) described in Item No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section,
- (C) The location of the proposed place of use identified by crosshatching,
- (D) **For Groundwater Use**, the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells and indicate for each well its type of use and the name and mailing address of the property owner or owners, (If there are no wells within 1/2 mile, please indicate that on the map.)

For Surface Water Use, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines, and
- (E) The locations of proposed or existing dams, dikes, reservoirs, canals, pipelines, power houses, and any other structures for the purpose of storing, conveying, or using water.

12. For groundwater use, furnish copies of the driller's logs for all test holes or completed wells. Please ensure that the driller's logs provide depth to the static water level. If driller's logs cannot be obtained for an existing well, provide the following information:

Well location as shown in Item No. 5	(A)	(B)	(C)	(D)	(E)
Date drilled					
Total depth of well					
Depth to static water level					

13. The owner(s) of the point of diversion, if other than the applicant is:

(name, address, and phone)

(name, address, and phone)

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

Cedar Creek Community Services Corporation, Shadow Glen Golf Club, Cedar Creek Village I Association, Inc.,
(name, address, and phone)

Cedar Creek Village II Association, Inc., City of Olathe (Median Maintenance Agreements)
(name, address, and phone)

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

Owner Agent Tenant Other: _____

16. A water use correspondent (WUC) must be designated. The WUC will be mailed the annual water use report, which must be filed with the Division by March 1 of each year. Failure to timely file an accurate water use report will subject the owner(s) to a civil fine of up to \$1,000 and potential suspension of the water appropriation or right. By signing this application, I verify that the owner(s) of the water right or permit have confirmed that the following person or agent should be designated as the WUC:

CEDAR CREEK COMMUNITY SERVICES CORP, 26000 SHADOW GLEN DRIVE OLATHE, KS 66061
(name, address, and phone)

17. I understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. This could affect the economics of my decision to appropriate water. Situations where this might occur may include times when minimum desirable streamflow (MDS) requirements are not met, when Assurance District or Water Marketing releases are made from storage in federal reservoirs, when a Water Reservation Right upstream of a federal reservoir is administered, or when water rights administration becomes necessary to prevent impairment.

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

By signing below, I verify that the information set forth above is true to the best of my knowledge, I agree with all statements made above, and that this application is submitted in good faith.

Larry Louk
(Applicant Signature)

Digitally signed by Larry Louk
Date: 2024.12.26 10:12:25 -06'00'

12/26/2024
(Date)

Cedar Creek Community Services Corporation
(Applicant Name – please print)

President
(Applicant Title, if applicable – please print)

Assisted by Lloyd Hemphill TFO/ES Date: 12/20/2024
(office/title)

FEE SCHEDULE*Make checks payable to the Kansas Department of Agriculture.*

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic, waterpower, dewatering, or sediment control use, shall be (see No. 2 below if requesting storage):

Million Gallons (mg)	Acre-Feet (AF)	Fee
≤ 32.585	≤ 100	\$200.00
32.586 - 104.272	100.1 – 320.0	\$300.00
> 104.272	> 320	\$300.00 plus \$20 for each additional 100AF (32.586mg) or any part thereof

2. The fee for an application in which **storage** of water is requested, except for domestic use, shall be:

Million Gallons (mg)	Acre-Feet (AF)	Fee
≤ 81.462	≤ 249.9	\$200.00
≥ 81.463	≥ 250	\$200.00 plus \$20 for each additional 100AF (32.586mg) or any part thereof

Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. The fee for an application for **waterpower** or **dewatering** use shall be \$100.00 plus \$200.00 for each 44,880 gallons per minute (100 c.f.s.), or part thereof, of the diversion rate requested.

IMPORTANT NOTICE

If this application is approved, the applicant shall notify the Chief Engineer when the diversion works (well, pump, reservoir, pit, etc.) has/have been completed via the *Notice of Completion of Diversion Works* form (DWR 1-203.11) and along with the statutorily required field inspection fee of:

- \$200.00 for sediment control use or groundwater pits for industrial use, or
- \$400.00 for all other uses made of water

Failure to complete the diversion works by the deadline specified in the *Approval of Application and Permit to Proceed* (or any subsequent extension of time of said deadline) and/or failure to submit the proper notice and field inspection fee will result in the dismissal of the appropriation and forfeiture of any priority associated with it.

For assistance with this application, please contact the Division of Water Resources (DWR).

Manhattan HQ

1320 Research Park Dr.
Manhattan, KS 66502
785-564-6638

Topeka Field Office

1131 SW Winding Rd, Ste 400
Topeka, KS 66615
785-296-5733

Stafford Field Office

300 S. Main St
Stafford, KS 67578
620-234-5311

Stockton Field Office

820 S. Walnut
Stockton, KS 67669
785-425-6787

Garden City Field Office

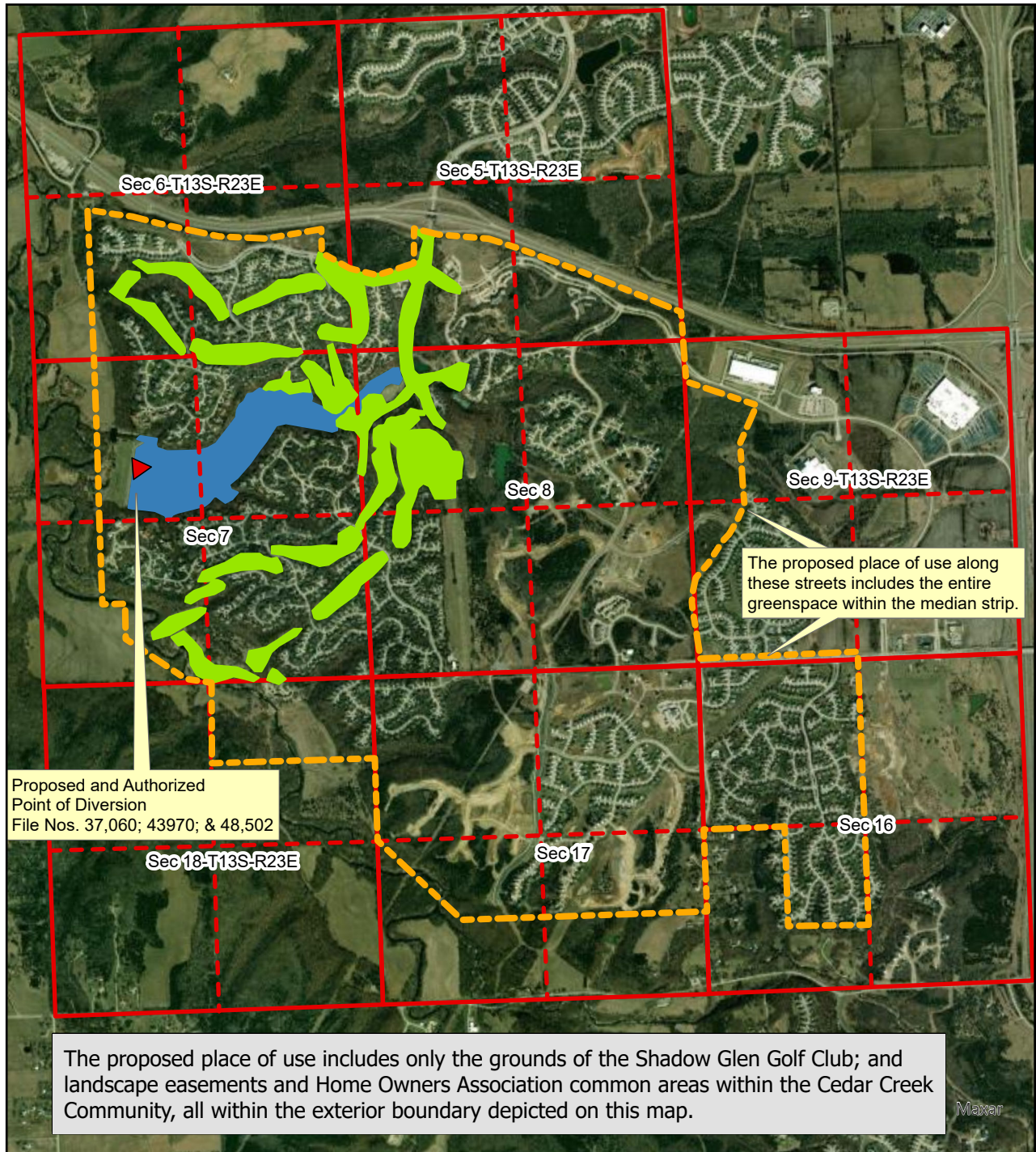
4532 W. Jones Ave, Ste B
Garden City, KS 67846
620-276-2901

Helpful Sources of Information

DWR Water Appropriation Program
DWR Water Appropriation Forms
KGS Water Well Completion Records
DWR Structures Program

<https://agriculture.ks.gov/divisions-programs/dwr/water-appropriation>
<https://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-appropriation-forms>
<https://www.kgs.ku.edu/Magellan/WaterWell/index.html>
<https://agriculture.ks.gov/divisions-programs/dwr/dam-safety/permit-requirements>

NEW APPLICATION AND PLACE OF USE CHANGES - FILE NOS. 43970 & 48502



Authorized Place of Use

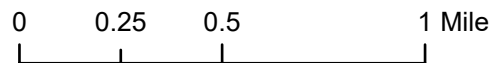
Proposed Place of Use - Exterior Boundary

12/30/2024

Map prepared by: LHH/TFO 12/20/2024



Scale: 1:30,000



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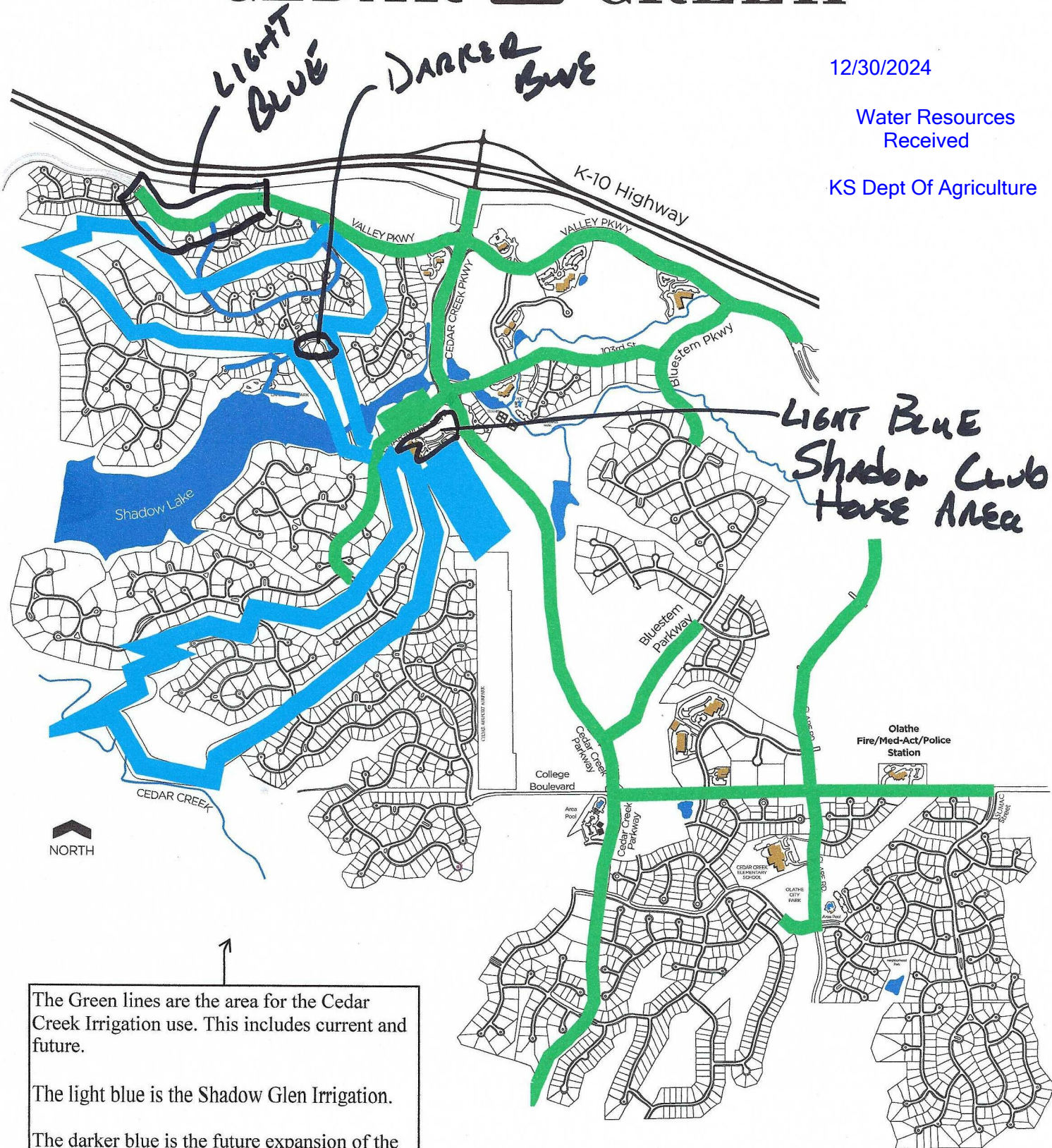
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CEDAR CREEK

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The Green lines are the area for the Cedar Creek Irrigation use. This includes current and future.

The light blue is the Shadow Glen Irrigation.

The darker blue is the future expansion of the Shadow Glen irrigation, which will benefit Cedar Creek.

Explanation of Requested Quantity

Direct Irrigation Use Quantity:

209 approx. acres irrigated X 31.6 inches applied per year* ÷ 12 in/ft = **550.4 acre-feet**

* This number of inches per year is an average of the annual requirement for all different zones of irrigation (greens, fairways, lawns, landscaping, etc.) or the total annual quantity divided by the estimated total irrigated acres. This number is the maximum reported under the existing water rights.

Storage Quantity:

Lake Storage Capacity = 1,380 acre-feet

Lake Surface Area = 67 acres

Net Evaporation = 5 inches/year = 0.42 feet/year

Potential Evaporation = 28.14 acre-feet

Requested Storage Quantity = Potential Evaporation X 3 years + Direct Use X 3 years
= 28.14 acre-feet X 3 years + 550.4 acre-feet X 3 years = **1,735.62 AF**

Potential annual runoff (per K.A.R. 5-6-4)

Mean Annual Precipitation = 39 inches

Soil Cover Complex Number = 79

Drainage Area = 2,356 acres

Potential Runoff = 3,742 acre-feet

Sufficient runoff is available to cover the requested storage quantity.

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. _____

Name of Applicant (Please Print): CEDAR CREEK COMMUNITY SERVICES CORPORATION

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: Cedar Creek Community Services Corporation
ADDRESS: 25775 West 103rd Street, Olathe, Kansas 66061

NAME: Shadow Glen Golf Club
ADDRESS: 26000 Shadow Glen Drive, Olathe, Kansas 66061

NAME: Cedar Creek Village I Association, Inc. & Cedar Creek Village II Association, Inc.
ADDRESS: 25775 West 103rd Street, Olathe, Kansas 66061

NAME: City of Olathe (through Median Maintenance Agreements only)

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5	13S	23E									12.5	4	39	40		2	38	22.5	158
6	13S	23E									25	7.5	10	40	12	17	40	40	191.5
7	13S	23E	40	40	40	40	40	10.5	10.5	40	40	11		30.5	40	40	40	40	502.5
8	13S	23E	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	38.5	638.5

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9	13S	23E						10.5	24			11	2.5	2.5					50.5
16	13S	23E					40	40	40	40	40			9					209
17	13S	23E	40	40	40	40	40	40	40	40	40	20			40	40			460
18	13S	23E	40	40															80

**** Total: 2290 ac.**

****NOTE: The specific acres irrigated will include only the grounds of the Shadow Glen Golf Club; and landscape easements and common areas within the Cedar Creek Community.**

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: POP UP SPRINKLERS

d. System design features:

i. Describe how you will control tailwater: NONE ANTICIPATED

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: TURF GRASS FOR GOLF COURSE AND OTHER LANDSCAPING PLANTS

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). SOIL MOISTURE & PLANT STRESS

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

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

January 14, 2025

CEDAR CREEK COMMUNITY SERVICES CORPORATION
25775 WEST 103RD STREET
OLATHE KS 66061

RE: Application, File No(s). **51388**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) for a permit to appropriate water for beneficial use. Your application(s) has been assigned 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 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 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,

Kris Neuhauser
New Applications Lead
Water Appropriation Program