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.

۱.	Application is hereby ma	■ ade for approval of the Chie ⊠ Place of Use	f Engineer to change the	Water Resources Received
	(Check one or more)	☑ Point of Diversion☐ Use Made of Water		FEB 14 2018 しこうし KS Dept Of Agriculture
		File No.	47,552	
	2. Name of applicant:	GAYLAN W NETT JR		
	Address: 1650 S MERID	DIAN SUITE 7		
	City, State and Zip: WIC	CHITA KS 67213-1900		
	Phone Number: (316)`52	22-4596	E-mail address: gn@netcoremod	deling.com
	What is your relationship	o to the water right; 🛛 own	er 🗌 tenant 🗌 agent 🗌 other?	If other, please explain.
	Name of water use corre	espondent: AS CURRENTL	Y AUTHORIZED	
	Address:			
	City, State and Zip:			
	Phone Number: ()	<u> </u>	E-mail address:	·
i.	- , , , ,			pecific): MODIFICATION OF PUT BY VATERWAY.
	The change(s) will be co	ompleted by <u>2018</u>	(Date)	
F. C	r Office Use Only: D. <u>V</u> GMD O Meets	K.A.R. 5-5-1 (YE3 / NO) U: Fee \$ 400 TF	See PEC Source ©S County R# Receipt Date	S6, By Am Date 2/14/18 01418 Check # 3501

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<i>,</i> .	The presently authorized	point(s) of diver	ision is <u>one gec</u>	ograpnic center	(Prov	ide description and num	ber of points)	·
7.	The proposed point(s) of	diversion is one	e geographic ce	nter				_
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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEET TO THE SARY

		٠,٠٠	sently authorized use of water is for RECREATIONAL	purposes.
	It is	pro	posed that the use be changed to	purposes.
13.	If ch	hang	ing the place of use and/or use made of water, describe how the consumptiv	ve use will not be increased.
	See	att	ached plan. The two bodies of water will be connected by a navigable cha	annel. The total water surface area will
			he same through filing of existing areas equil to the area of the newly create	
			1	
	(Plea	ase s	how any calculations here.)	
14.	It is	req	uested that the maximum annual quantity of water be reduced to N/A	(acre-feet or million gallons).
15.	It is	req	uested that the maximum rate of diversion of water be reduced to N/A	gallons per minute (c.f.s.).
	1:24 Kan Dist sho	1,00 sas anc uld a	dication must include either a topographic map or detailed plat. A U.S. Geo D, is available through the Kansas Geological Survey, 1930 Constant Av 66047-3726 (www.usgs.gov). The map should show the location of the press North and West of the Southeast corner of the section must be shown. Also be shown. Identify the center of the section, the section lines and the section shows a range numbers on the map. In addition the following information.	enue, University of Kansas, Lawrence, resently authorized point(s) of diversion. The presently authorized place of use ection corners and show the appropriate
	a.	If a	change in the location of the point(s) of diversion is proposed, show:	
		1)	The location of the proposed point(s) of diversion. Distances North and We must be shown. Please be certain that the information shown on the ma Paragraph Nos. 9, 10 and 11 of the application.	
		2)	If the source of supply is groundwater, please show the location of exist domestic wells, within $\frac{1}{2}$ mile of the proposed well or wells. Identify each mailing address of the property owner or owners. If there are no wells within	well as to its use and furnish name and
		3)	If the source of supply is surface water, the names and mailing addresses and $\frac{1}{2}$ mile upstream from your property lines must be shown.	of all landowner(s) ½ mile downstream
			change in the place of use is desired, show the proposed place of use by ain that the information shown on the map agrees with the information shown	
,	loca well	ıl so log:	locumentation to show the change(s) proposed herein will not impair existing urce of supply as to which the water right relates. This information may income, test hole logs, and other information as necessary information to show the low.	clude statements, plats, geology reports,
	The	pro	posed change will be combining two existing water rights. The exposed grou	undwater area will remain unchanged.
-				Water Resources
•				Received
-				FEB 1 4 2018
i	iden requ	tify iest	oposed change(s) does not meet all applicable rules and regulations of the the rules and regulations for which you request a waiver. State the reaso should be granted. Attach documentation showing that granting the requestrejudicially and unreasonably affect the public interest.	n wasaDeepteOt AgricultHibewhy the
9	Cha	nge	appears to meet the Act, and no waiver is needed.	

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

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

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

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

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and

as specified in sections 14 and 15 of this application.		anently reduce the quantity	of water unaror rate of diversion
Dated at	, Kansas, this	day of	, 20
Bir Saily HA Delle			
GAYLAN NETT JR (EBFUC)	(Spo	ouse)
(Please Print)		(Pleas	e Print)
(Owner)		(Spo	puse)
(Please Print)		(Pleas	e Print)
(Owner)		(Spc	puse)
(Please Print)		(Pleas	e Print)
State of Kansas County of SEDGWICK I hereby certify that the foregoing application was 20.18	as signed in my pres	sence and sworn to before	me this 24^{+H} day of
My Commission Expires		William K.	Public Pu
	FEE SCHEDULE	M	NOTARY PUBLIC STATE OF KANSAS y Appt. Exp. 11/15/20
Each application to change the place of use, the point of application fee set forth in the schedule below:			•
 (1) Application to change a point of diversion 3(2) Application to change a point of diversion m (3) Application to change the place of use (4) Application to change the use made of the v 	00 feet or less ore than 300 feet		\$100 \$200 \$200 \$200 \$300
Make check navable to Kansas Department of Agricult			

Received

FEB 14 2018



924 N Main St Wichita, KS 67203

TEL 316.264.8008

www.GarverUSA.com

February 5, 2018

ATTN: Leslie Ireland Division of Water Resources Kansas Department of Agriculture 1320 Research Park Drive Manhattan, KS 66502

Re:

Water Right Change Application for Emerald Bay Addition, Wichita, KS.

Dear Ms. Ireland

Included with this letter is the application for a Change in Water Right for Emerald Bay Addition to Sedgwick County, Kansas. Gaylan Nett is the owner of two water rights he is applying to merge into one. Both water rights are for recreational use. The two bodies of water will be connected by a navigable channel. Areas of the existing bodies will be filled in to offset any additional exposed waters. Also included with this letter are all wells within ½ mile of the new proposed centroid for notification.

Please feel free to contact me if you have any questions.

Sincerely,

Eric J. Glove P.E.

Project Engineer

EJGlover@GarverUSA.com

Water Resources Received

FEB 14 2018

KS Dept Of Agriculture

Attachments:

2-Application for Water Right Change

1320 Research Park Drive Manhattan, Kansas 66502 (785) 564-6700



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

Jackie McClaskey, Secretary

Governor Sam Brownback

GAYLAN W NETT JR 1650 S MERIDIAN SUITE 7 February 14, 2018

WICHITA, KS 67213

RF: File No 47552

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

> place of use PU/PD point of diversion use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use. . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor... A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent Tourney, L.G.

Change Applications Unit Supervisor

Water Appropriation Program

BAT: DLW

pc: STAFFORD Field Office **GMD**





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	DESCRIPTION			
	DATE			
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EXISTING WATER RIGHT

JOB NO.: 17264861 DATE: MONTH YEAR DESIGNED BY; DRAWN BY:





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DESCRIPTION		
DATE		
REV.		

CHITA	
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PROPOSED WATER RIGHT

(IN FEET)



EXISTING GROUNDWATER RIGHTS



JOB NO.: 17264861 DATE: MONTH YEAR DESIGNED BY: DRAWN BY:

BAR IS ONE INCH ON ORIGINAL DRAWING

0 1"
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

DRAWING NUMBER