

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

1. File Number: <p style="text-align: center;">49,891</p>	2. Status Change Date: <p style="text-align: center;"><i>5/2/2018</i></p>	3. Field Office: <p style="text-align: center;">02</p>	4. GMD:
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			
<p>7a. Applicant(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID 1480 Add Seq# _____</p> <p>CITY OF WICHITA PARKS & RECREATION PARK COMMISSIONERS 455 N MAIN ST 11 FLOOR WICHITA KS 67202</p>	<p>7c. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p>		
<p>7b. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p> <p>7a</p>	<p>7d. Landowner New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p>		
<p>8. WUR Correspondent New to system <input type="checkbox"/> Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>7b</p> <p style="text-align: right;">Person ID _____ Add Seq# _____ Notarized WUC Form <input type="checkbox"/></p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="text-align: right;"><input type="checkbox"/> Groundwater <input checked="" type="checkbox"/> Surface Water</p> <p><input type="checkbox"/> IRR <input checked="" type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____</p>		
10. Completion Date: <u>12/31/2019</u> 11. Perfection Date: <u>12/31/2023</u> 12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
<p>Date Prepared: 4/25/18 By: MJM</p> <p>Date Entered: <i>6/4/2018</i> By: <i>UM</i></p>			

File No. **49,891** 15. Formation Code: Drainage Basin: **Arkansas River** County: **SG** Special Use: Stream: **East Fork Chisholm Creek Trib 4**

16. Points of Diversion										
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
✓				86301 NE SW SE	36	26S	1E	2	998	1,887
(STRUCTURES PERMIT: LSG-0548)										

17. Rate and Quantity				
Authorized		Additional		
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
○	○	○	○	

18. Storage: Rate **Nat Flows** NF Quantity **15.5** ac/ft Additional Rate **Nat Flows** NF Additional Quantity **15.5** 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? Yes No To be installed by _____ Date Acceptable Meter Installed _____

21. Place of Use T MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
✓	68592	36	26S	1E	3	Series of Ponds/Marshes in SE1/4 <i>9.8 acres</i>																			7b.

Comments:

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

June 4, 2018

FILE COPY

CITY OF WICHITA PARKS & RECREATION
PARK COMMISSIONERS
455 N MAIN ST 11 FLOOR
WICHITA KS 67202

RE: Application, File No. 49,891

Dear Sir or Madam:

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.

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,

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

Enclosures

pc: Stafford Field Office

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: April 25, 2018

FROM: Matt Meier

RE: Application File Nos. 49,891

The Wichita Board of Park Commissioners has filed the above referenced application proposing to appropriate 15.5 acre-feet of surface water for recreational use at a diversion rate of natural flows of the East Fork of Chisholm Creek Trib 4 (Little Arkansas River). The application is covering an existing series of connected reservoirs/marshes so a special condition is not needed for an initial filling of the reservoirs/marshes. The proposed point of diversion is one (1) dam (which serves as the final control point for the reservoirs/marshes) located in the Northeast Quarter of the Southwest Quarter of the Southeast Quarter (NE1/4 SW1/4 SE1/4) of section 36, more particularly described as being near a point 998 feet North and 1,887 feet West of the Southeast corner of said section, Township 26 South, Range 1 East, Sedgwick County, within the Arkansas River drainage basin. The water will be used to cover evaporation losses from the reservoirs/marshes. The entire proposed place of use is owned by the applicant. The application was filed to cover the existing reservoirs/marshes (which have been in existence for well over 20 years) as the owners were previously unaware the combined reservoir size likely required a permit. Individually the reservoirs/marshes would have likely been exempt from requiring a permit as they could have fell under K.S.A. 82a-728(a) were the annual diversion and beneficial use of not more than 15-acre feet of surface water impounded in any reservoir having a total water volume of less than 15-acre feet does not require a permit. As all the reservoirs/marshes were in the same drainage area, flowed into each other, and were part of the nature conservation area it was decided to consider them a combined surface size and storage area. Storage information was unknown due to the age of the reservoirs/marshes. After consulting with the owner/applicant it was decided to file an application to be safe and avoid possible issues going forward.

The combined surface area for the reservoirs/marshes is 9.8 acres. Potential net evaporation in inches based on K.A.R. 5-6-3 is 19 inches. As per K.A.R. 5-6-5(1)(B), the maximum reasonable annual quantity for storage of water for beneficial use in a reservoir is a three-year supply of water for indirect use. The application requested less than the maximum as requested quantity is only one-year evaporation/indirect use.

$$9.8 \text{ acres} \times 19 \text{ inches of evaporation} / 12 \text{ inches} = 15.5 \text{ acre-feet}$$

As the reservoirs/marshes have been in existence for a long time (well over 20 years) and no complaints were ever received a runoff calculation was not performed for the application. A review of WRIS showed multiple other surface water rights within a two-mile area of the application, the closest of which was File No. 48,512 at 1.46 miles away. None of the existing surface rights are located downstream of the application. Based off this information there appears to be sufficient potential runoff water for the application.

8 land owners were identified for the adjacent land ½ mile upstream and downstream of the proposed reservoir. Nearby notification letters were sent out on April 2, 2018. Phone calls were received from William Wesche and William Dilman to obtain more information about the application. The dam received a structures permit, LSG-0548.

The proposed application is subject to minimum desirable streamflow requirements. The applicant signed, notarized, and returned the required form to our office.

Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of the referenced application on April 25, 2018. Based on the above discussion, that this area is open to new appropriations, the proposed appropriation of water appears reasonable, approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.

Matthew J. Meier
Environmental Scientist
Permits Unit

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
and
PERMIT TO PROCEED**

(This is not a Certificate of Appropriation)

This is to certify that I have examined Application File No. **49,891** of the applicant

**CITY OF WICHITA PARKS & RECREATION
PARK COMMISSIONERS
455 N MAIN ST 11 FLOOR
WICHITA KS 67202**

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 18, 2017**.
2. That the water sought to be appropriated shall be used for recreational use at a series of ponds/marshes located in the Southeast Quarter (SE $\frac{1}{4}$) of Section 36, in Township 26 South, Range 1 East, Sedgwick County, Kansas.
3. That the appropriation sought shall be limited to all natural flows of an unnamed tributary to Chisholm Creek, designated in the office of the Chief Engineer as East Fork Chisholm Creek Trib 4, not needed to satisfy all vested rights and prior appropriation rights to be stored to a maximum extent of **15.5 acre-feet** per calendar year, in a series of ponds/marshes, the control point is a dam located in the Northeast Quarter of the Southwest Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 36, more particularly described as being near a point 998 feet North and 1,887 feet West of the Southeast corner of said section, in Township 26 South, Range 1 East, Sedgwick County, Kansas, as shown on the topographic map accompanying the application.
4. 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 submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.
5. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 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.

6. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.
7. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.
8. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.
9. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.
10. That 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.
11. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.
12. 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.
13. 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.
14. That the applicant shall install and maintain such physical device or devices, as part of the diversion works that may be readily operated to bypass flows for downstream senior water rights.

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.

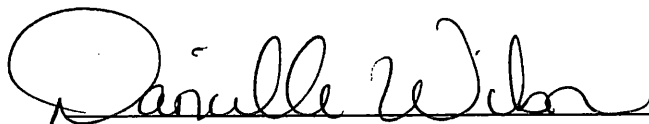
Ordered this 22nd day of May, 2018, in Topeka, Shawnee County, Kansas.



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

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 22nd day of May, 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Notary Public

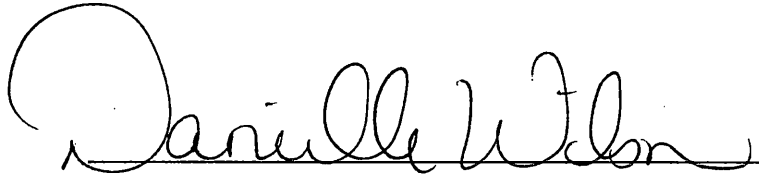
CERTIFICATE OF SERVICE

On this ~~4th~~ day of ~~June~~, 2018, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,891, dated ~~May 22nd, 2018~~ was mailed postage prepaid, first class, US mail to the following:

CITY OF WICHITA PARKS & RECREATION
PARK COMMISSIONERS
455 N MAIN ST 11 FLOOR
WICHITA KS 67202

With photocopies to:

Stafford Field Office



Division of Water Resources

4/25/18 KAB
APPLICATION COMPLETE
6-8-17
Reviewer MJM

THE STATE OF KANSAS



WATER RESOURCES RECEIVED

AUG 18 2017

KS DEPT OF AGRICULTURE

11:21

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer
WATER RESOURCES RECEIVED

File Number 49891
This item to be completed by the Division of Water Resources.

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 08 2017
12:53
UNACCEPTABLE FOR PRIORITY
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): Wichita Board of Park Commissioners
Address: 455 North Main, 11th Floor
City: Wichita State KS Zip Code 67202
Telephone Number: (316) 683-5499

2. The source of water is: surface water in East Fork Chisholm Creek Trib 4
Un-named Trib to Chisholm Creek
(stream)
OR groundwater in (Arkansas River)
(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 15.5 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of Nat. Evap. 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. 2 GMD 0 Meets K.A.R. 5-3-1 (YES/NO) Use REC Source G(S) County 56 By AW Date 8/18/17
Code REG Fee \$ 2010 TR # _____ Receipt Date 8/18/17 Check # 1605332

8/22/2017 LCM

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 NE quarter of the SW quarter of the SE quarter of Section 36, more particularly described as being near a point 998 feet North and 1887 feet West of the Southeast corner of said section, in Township 26 South, Range 1 East, Sedgwick 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):

Same as Applicant

 (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 _____, 20____. _____
 Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

7. The proposed project for diversion of water will consist of Series of ponds/marshes with Dam as control point
 (number of wells, pumps or dams, etc.)
 and (was)(will be) completed (by) Existing ponds
 (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 ASAP
 (Mo/Day/Year)

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

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

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

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

- If yes, show the Water Structures permit number here _____
- If no, explain here why a Water Structures permit is not required In process of determining if Structures permit required

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

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

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

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

No initial fill needed as existing ponds/marshes (Some modifications are to be made to SE Pond)

Series of ponds/marshes with the control point being a Dam located on the SW corner of the

North Pond/Marsh based on the supplied drainage map and information provided by applicant.

WATER RESOURCES RECEIVED

AUG 18 2017

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

AUG 08 2017

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	N.A.	_____	_____	_____
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

Employee of owner (City of Wichita)
(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):

Wichita Board of Park Commissioners. 455 N. Main, 11th Floor, Wichita KS 67202
(name, address and telephone number)

Attn: Larry D. Hoetmer, Principal Planner (316) 268-4179
(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 _____, Kansas, this _____ day of _____, _____
(month) (year)


(Applicant Signature)

By 
(Agent or Officer Signature)

Troy Houtman - Director of Park & Rec
(Agent or Officer - Please Print)

Assisted by MJM/SFFO ESII Date: 6/30/2017
(office/title)

**RECREATIONAL USE
SUPPLEMENTAL SHEET**

File No. 49891

Name of Applicant (Please Print): Wichita Board of Park Commissioners

1. Please indicate type of recreational use (boating, fishing, swimming, etc.): Wildlife Habitat, Hiking,

2. Please summarize how the water will be used and justify the quantity of water requested: _____
Requested Quantity to offset Evaporation losses from a series of ponds/marshes
Ponds/Marshes Surface Areas: 7 Acres, 2.7 Acres, 0.1 Acres = 9.8 Acres
PNE for Township 26S Range 1 East is 19"
Evap: 19" x 9.8 Acres = 186.2 / 12 = 15.5 AF

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	15.5 AF
Year 2	15.5 AF
Year 3	15.5 AF
Year 4	15.5 AF
Year 5	15.5 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.
Series of ponds/marshes with a combined surface area of 9.8 Acres located in the
Southeast Quarter (SE1/4) of Section 36, Township 26S, Range 1E, Sedgwick County, KS

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

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

Draft

TO: Files

DATE: April 25, 2018

FROM: Matt Meier

RE: Application File Nos. 49,891

The Wichita Board of Park Commissioners has filed the above referenced application proposing to appropriate 15.5 acre-feet of surface water for recreational use at a diversion rate of natural flows of the East Fork of Chisholm Creek Trib 4 (Little Arkansas River). The application is covering an existing series of connected reservoirs/marshes so a special condition is not needed for an initial filling of the reservoirs/marshes. The proposed point of diversion is one (1) dam (which serves as the final control point for the reservoirs/marshes) located in the Northeast Quarter of the Southwest Quarter of the Southeast Quarter (NE1/4 SW1/4 SE1/4) of section 36, more particularly described as being near a point 998 feet North and 1,887 feet West of the Southeast corner of said section, Township 26 South, Range 1 East, Sedgwick County, within the Arkansas River drainage basin. The water will be used to cover evaporation losses from the reservoirs/marshes. The entire proposed place of use is owned by the applicant. The application was filed to cover the existing reservoirs/marshes (which have been in existence for well over 20 years) as the owners were previously unaware the combined reservoir size likely required a permit. Individually the reservoirs/marshes would have likely been exempt from requiring a permit as they could have fell under K.S.A. 82a-728(a) were the annual diversion and beneficial use of not more than 15-acre feet of surface water impounded in any reservoir having a total water volume of less than 15-acre feet does not require a permit. As all the reservoirs/marshes were in the same drainage area, flowed into each other, and were part of the nature conservation area it was decided to consider them a combined surface size and storage area. Storage information was unknown due to the age of the reservoirs/marshes. After consulting with the owner/applicant it was decided to file an application to be safe and avoid possible issues going forward.

The combined surface area for the reservoirs/marshes is 9.8 acres. Potential net evaporation in inches based on K.A.R. 5-6-3 is 19 inches. As per K.A.R. 5-6-5(1)(B), the maximum reasonable annual quantity for storage of water for beneficial use in a reservoir is a three-year supply of water for indirect use. The application requested less than the maximum as requested quantity is only one-year evaporation/indirect use.

$$9.8 \text{ acres} \times 19 \text{ inches of evaporation} / 12 \text{ inches} = 15.5 \text{ acre-feet}$$

As the reservoirs/marshes have been in existence for a long time (well over 20 years) and no complaints were ever received a runoff calculation was not performed for the application. A review of WRIS showed multiple other surface water rights within a two-mile area of the application, the closest of which was File No. 48,512 at 1.46 miles away. None of the existing surface rights are located downstream of the application. Based off this information there appears to be sufficient potential runoff water for the application.

8 land owners were identified for the adjacent land ½ mile upstream and downstream of the proposed reservoir. Nearby notification letters were sent out on April 2, 2018. Phone calls were received from William Wesche and William Dilman to obtain more information about the application. The dam has received a structures permit, LSG-0548.

The proposed application is subject to minimum desirable streamflow requirements. The applicant signed, notarized, and returned the required form to our office.

Based on the above discussion, that this area is open to new appropriations, the proposed appropriation of water appears reasonable, approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.

Matthew J. Meier
Environmental Scientist
Permits Unit

4/25/16 Concurs w/ recommendation
Approve it
Jeff Hartman WC.

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

998 ft N and 1887 ft W of the SE Corner of Section 36, T 26S, R 1E

Located at: 97.268535 West Longitude and 37.740381 North Latitude

SURFACE WATER ONLY

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=====
File Number  Use ST SR Dist (mi) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth_Quan Add_Quan Unit
A__  44456 00 IRR LR S      1.99 -- NW SW NW 3370 5115 29 26 2E 1      280.60 280.60 AF
A__  45686 00 IRR NK S      1.95 -- SW SE SW   -8 3391 19 26 2E 1      19.00 19.00 AF
Same          1.98 -- SW SE SW  131 3336 19 26 2E 2
***** Authorized storage =      .00 AF Additional storage =      .00 AF
A__  45686 00 REC NK S      1.95 -- SW SE SW   -8 3391 19 26 2E 1      .00 .00 AF
***** Authorized storage =     88.70 AF Additional storage =     88.70 AF
Same          1.98 -- SW SE SW  131 3336 19 26 2E 2
***** Authorized storage =     88.70 AF Additional storage =     88.70 AF
***** Authorized storage =     88.70 AF Additional storage =     88.70 AF
A__  48512 00 IRR KE S      1.46 -- SW NE NW 4050 3660 35 26 1E 2      160.70 160.70 AF
A__  49427 00 IRR KE S      1.95 -- SW SE SW   -8 3391 19 26 2E 1      179.40 160.40 AF
Same          1.98 -- SW SE SW  131 3336 19 26 2E 2
***** Authorized storage =      .00 AF Additional storage =      .00 AF
A__  49891 00 REC AY S      .00 -- NE SW SE   998 1887 36 26 1E 2      15.50 15.50 AF
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Total Net Quantities Authorized:  Direct      Storage
Total Requested Amount (AF) =      15.50          .00
Total Permitted Amount (AF) =     321.10        330.00
Total Inspected Amount (AF) =     280.60         57.40
Total Pro_Cert Amount (AF) =         .00          .00
Total Certified Amount (AF) =         19.00        496.20
Total Vested Amount (AF) =          .00          .00
TOTAL AMOUNT (AF) =         636.20        883.60
=====

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An * after the source of supply indicates a pending application for change for the file number.
 An * after the ID indicates a 15 AF exemption was granted for 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:

97.268535 West Longitude and 37.740381 North Latitude

SURFACE WATER ONLY

WATER USE CORRESPONDENTS:

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=====
File Number  Use ST SR
A__  44456 00 IRR LR S
>  WILLOWBEND GOLF CLUB INC
>
>  8001 E MULBERRY ST
>  WICHITA KS 67226
>-----
A__  45686 00 IRR NK S
>  CATHOLIC DIOCESE OF WICHITA
>
>  424 N BROADWAY ST
>  WICHITA KS 67202
>-----

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A__ 45686 00 REC NK S
> CATHOLIC DIOCESE OF WICHITA
>
> 424 N BROADWAY ST
> WICHITA KS 67202

>-----

A__ 48512 00 IRR KE S
> KOCH REAL ESTATE HOLDINGS INC
>
> 4111 E 37TH ST N
> WICHITA KS 67202

>-----

A__ 49427 00 IRR KE S
> CATHOLIC DIOCESE OF WICHITA
>
> 424 N BROADWAY ST
> WICHITA KS 67202

>-----

A__ 49891 00 REC AY S
> CITY OF WICHITA PARKS & RECREATION
> PARK COMMISSIONERS
> 455 N MAIN ST 11 FLOOR
> WICHITA KS 67202

>-----

=====

Downstream

#1 HINKLE EVA J LIVING TR
PO BOX 313
GLENDALE, CA 91209-0313

#2 CURRY JAMES A & TAYLOR C ROMICK
5524 E 29TH ST N
WICHITA
67220-2102

#3 CHAN DAVY E & VAN T LUU
4901 W CENTRAL AVE
WICHITA KS 67212-2349

#4 TRAVIS MARK A L & ELLEN C
5228 E 29TH ST N
WICHITA KS 67220-2101

#5 VLAMIS ENTERPRISES INC
5000 E 29TH. ST. N.
WICHITA, KS 67220-2111

Upstream

#6 HD DEVELOPMENT OF MARYLAND INC
P O BOX 105842
ATLANTA GA 30348-5842

#7 YMCA
3330 N WOODLAWN ST
WICHITA, KS 67220-2223

#8 ALLENS LAKE HOMEOWNERS ASSOCIATION
900 N TYLER ST STE 7
WICHITA KS 67212-3249

STATE OF KANSAS



DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
STAFFORD FIELD OFFICE
300 S. MAIN STREET
STAFFORD, KS 67578-1521

PHONE: (620) 234-5311
FAX: (620) 234-6900
www.agriculture.ks.gov

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

April 2, 2018

Eva J Hinkle Living TR
PO Box 313
Glendale, CA 91209-0313

Re: Pending Application, File No. 49,891

Dear Sir or Madam:

This is to advise you that Wichita Board of Park Commissioners has filed the application referred to above for a permit to appropriate surface water at the rate of natural flows to be stored in a series of ponds/marshes. The application is requesting to appropriate 15.5 acre-feet of surface water per calendar year for recreational use from existing ponds/marshes. The proposed point of diversion for 49,891 is a series of connected ponds/marshes with a control point dam located as follows:

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A map is enclosed indicating the location of the proposed point of diversion. Records in this office indicate that you own property in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

If you have any questions or comments, you may also contact me at (620) 234-5311. If you call, please reference the file number so I can help you more efficiently. Mailed comments can be sent to the Stafford Field Office at 300 S. Main St. Stafford, KS 67578-1521.

Sincerely,

Matt Meier
Environmental Scientist
Water Appropriations Program

Enclosure

SCANNED

pc:

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



Legend
+ Section Corners
— Section Lines
MJM-DWR 4/2/18

0 650 1,300 2,600 3,900 5,200 Feet

Proposed Water Appropriation, File No. 49,891
36-26S-1E
Sedgwick County



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

April 2, 2018

James Curry & Taylor Romick
5524 E 29th St N
Wichita, KS 67220-2102

Re: Pending Application, File No. 49,891

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Sincerely,

Matt Meier
Environmental Scientist
Water Appropriations Program

Enclosure

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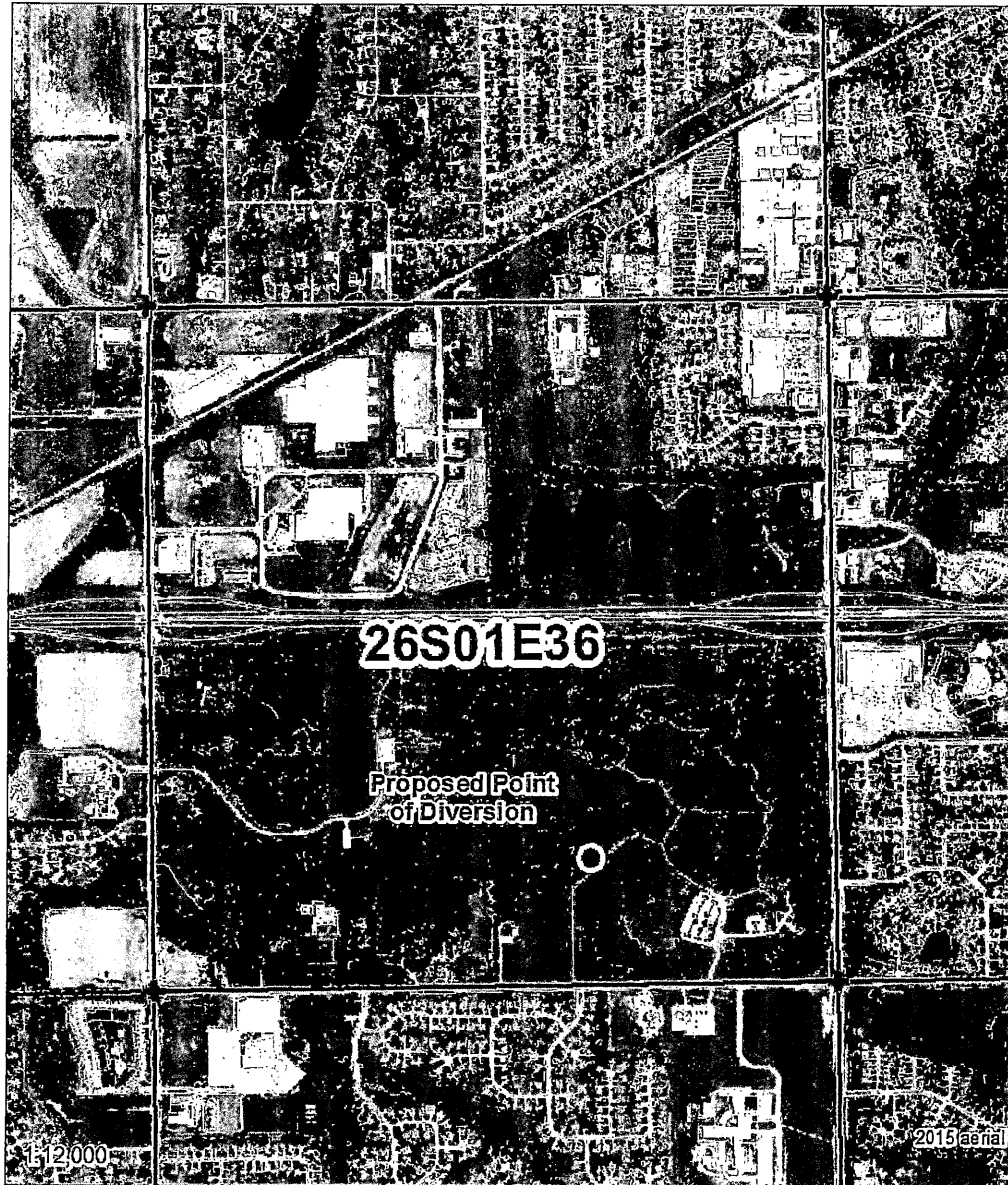
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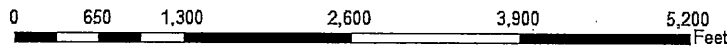
GOVERNOR JEFF COLYER, M.D.
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Legend

- Section Corners
- Section Lines

MJM-DWR 4/2/18



Proposed Water Appropriation, File No. 49,891
36-26S-1E
Sedgwick County



STATE OF KANSAS



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

April 2, 2018

CHAN DAVY E & VAN T LUU
4901 W CENTRAL AVE
WICHITA KS 67212-2349

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Matt Meier
Environmental Scientist
Water Appropriations Program

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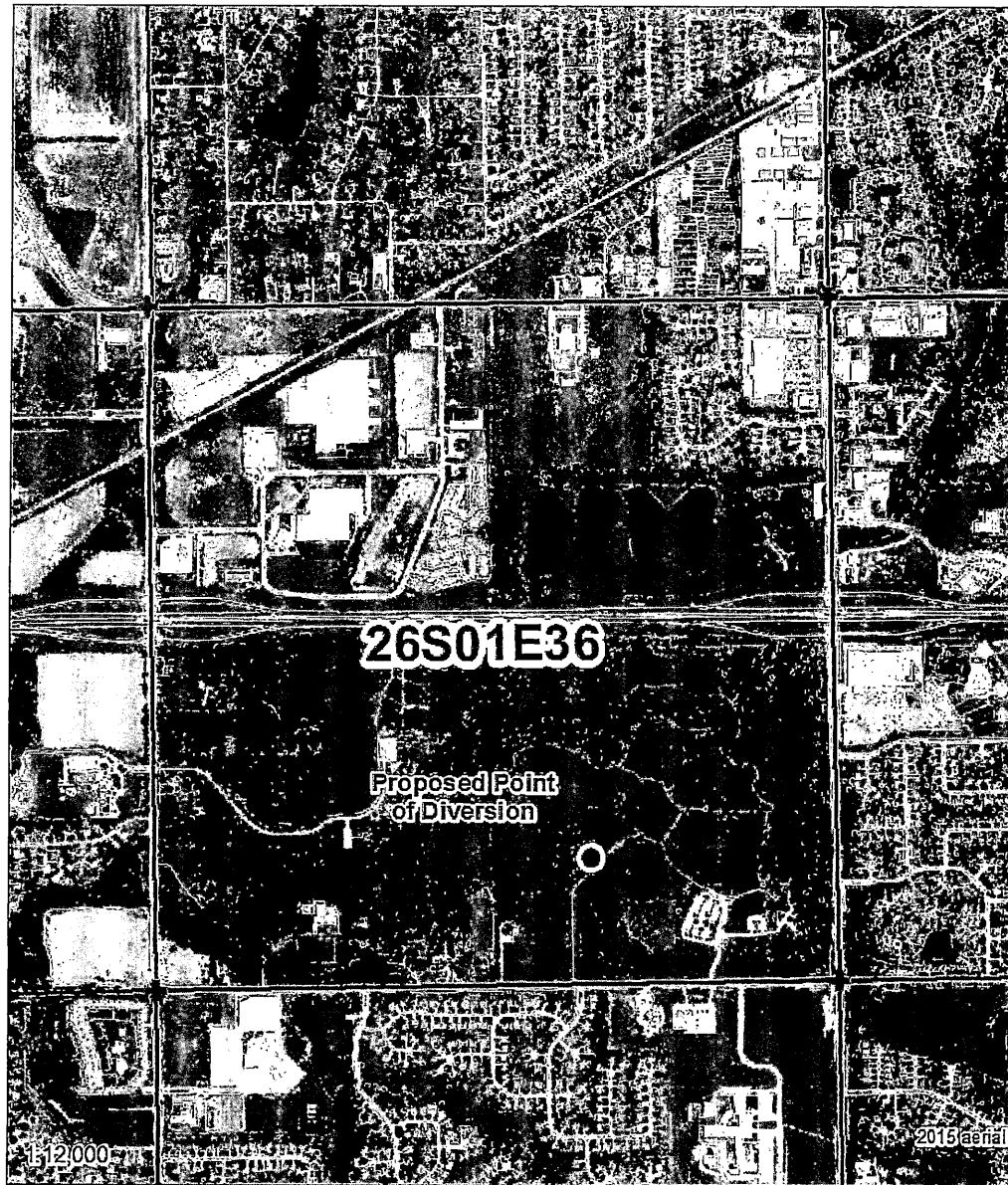
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Legend

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JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 2, 2018

TRAVIS MARK A L & ELLEN C
5228 E 29TH ST N
WICHITA, KS 67220-2101

Re: Pending Application, File No. 49,891

Dear Sir or Madam:

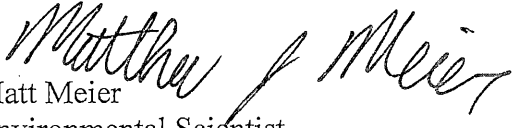
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Sincerely,


Matt Meier
Environmental Scientist
Water Appropriations Program

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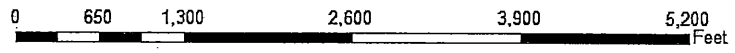
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Legend

- Section Corners
- Section Lines

MJM-DWR 4/2/18



Proposed Water Appropriation, File No. 49,891
36-26S-1E
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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 2, 2018

VLAMIS ENTERPRISES INC
5000 E 29TH. ST. N.
WICHITA, KS 67220-2111

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Sincerely,

Matt Meier
Environmental Scientist
Water Appropriations Program

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MJM-DWR 4/2/18

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Proposed Water Appropriation, File No. 49,891
36-26S-1E
Sedgwick County



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

April 2, 2018

HD DEVELOPMENT OF MARYLAND INC
P O BOX 105842
ATLANTA GA 30348-5842

Re: Pending Application, File No. 49,891

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Sincerely,

Matthew J. Meier
Matt Meier
Environmental Scientist
Water Appropriations Program

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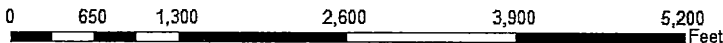
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Legend

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MJM-DWR 4/2/18



Proposed Water Appropriation, File No. 49,891
36-26S-1E
Sedgwick County



STATE OF KANSAS



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

April 2, 2018

YMCA
3330 N WOODLAWN ST
WICHITA, KS 67220-2223

Re: Pending Application, File No. 49,891

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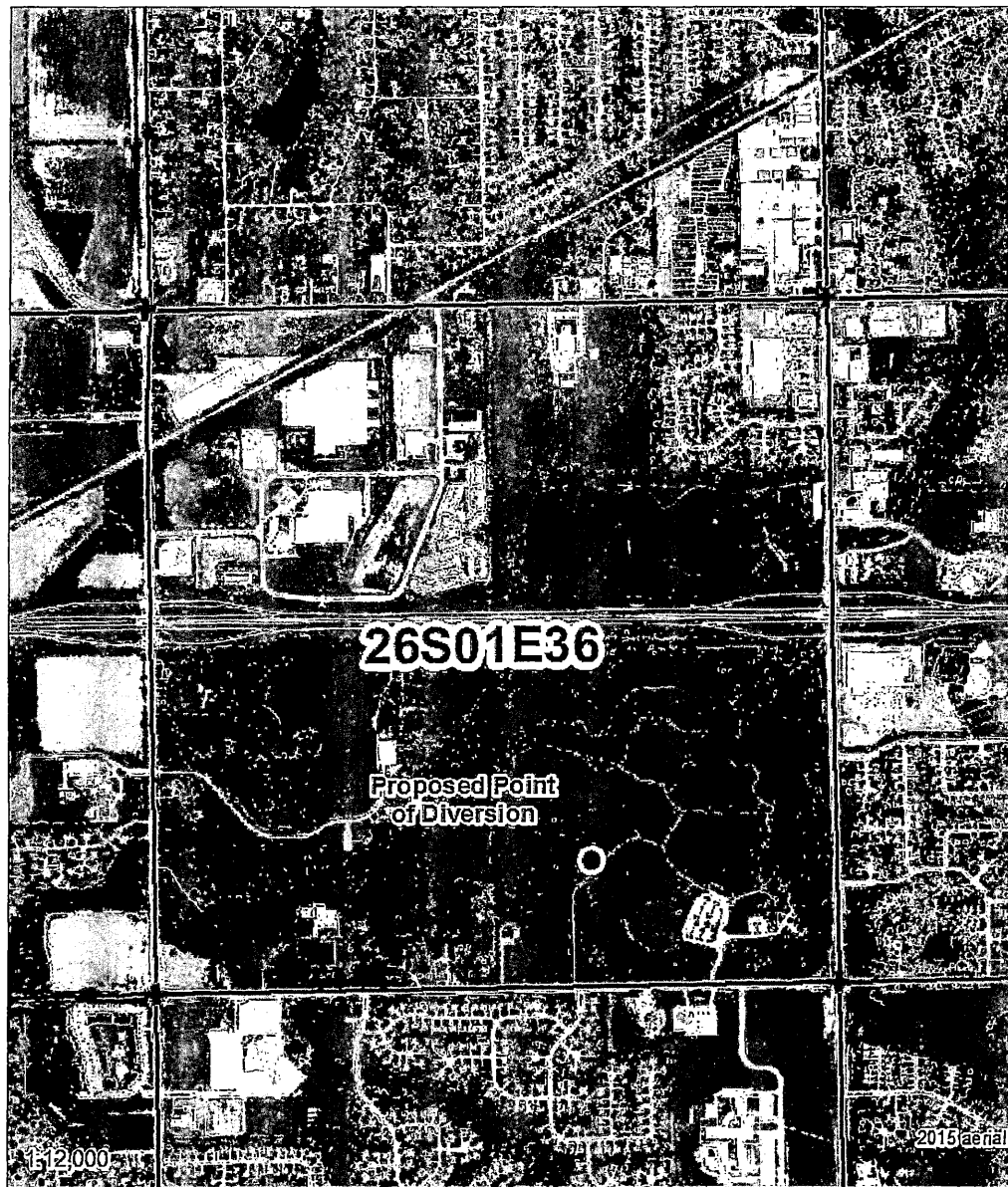
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STAFFORD, KS 67578-1521



PHONE: (620) 234-5311
FAX: (620) 234-6900
www.agriculture.ks.gov

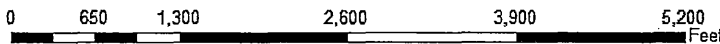
GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE



Legend

- Section Corners
- Section Lines

MJM-DWR 4/2/18



Proposed Water Appropriation, File No. 49,891
36-26S-1E
Sedgwick County



STATE OF KANSAS



PHONE: (620) 234-5311
FAX: (620) 234-6900
www.agriculture.ks.gov

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
STAFFORD FIELD OFFICE
300 S. MAIN STREET
STAFFORD, KS 67578-1521

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

April 2, 2018

ALLENS LAKE HOMEOWNERS ASSOCIATION
900 N TYLER ST STE 7
WICHITA KS 67212-3249

Re: Pending Application, File No. 49,891

Dear Sir or Madam:

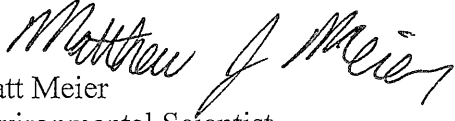
This is to advise you that Wichita Board of Park Commissioners has filed the application referred to above for a permit to appropriate surface water at the rate of natural flows to be stored in a series of ponds/marshes. The application is requesting to appropriate 15.5 acre-feet of surface water per calendar year for recreational use from existing ponds/marshes. The proposed point of diversion for 49,891 is a series of connected ponds/marshes with a control point dam located as follows:

In the Northeast quarter of the Southwest quarter of the Southeast quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 36, Township 26 South, Range 1 East, Sedgwick County, Kansas.

A map is enclosed indicating the location of the proposed point of diversion. Records in this office indicate that you own property in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

If you have any questions or comments, you may also contact me at (620) 234-5311. If you call, please reference the file number so I can help you more efficiently. Mailed comments can be sent to the Stafford Field Office at 300 S. Main St. Stafford, KS 67578-1521.

Sincerely,


Matt Meier
Environmental Scientist
Water Appropriations Program

Enclosure

pc:

SCANNED

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
STAFFORD FIELD OFFICE
300 S. MAIN STREET
STAFFORD, KS 67578-1521



PHONE: (620) 234-5311
FAX: (620) 234-6900
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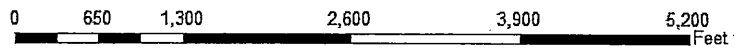
GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE



Legend

- Section Corners
- Section Lines

MJM-DWR 4/2/18



Proposed Water Appropriation, File No. 49,891
36-26S-1E
Sedgwick County



FEE SCHEDULE

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

ACRE-FEET	FEE
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof.

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

ACRE-FEET	FEE
0-250	\$200.00
More than 250	\$200.00 plus \$20.00 for each additional 250 acre-feet of storage 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 a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

Abbey
Can you get a
check for this?
OCA: ~~786104~~ - 172209
Jan Chisholm Creek Pk. 3.
Water Rights

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons
1 million gallons equal 3.07 acre-feet

WATER RESOURCES
RECEIVED

AUG 18 2017

KS DEPT OF AGRICULTURE

WATER RESOURCES
RECEIVED

AUG 08 2017

KS DEPT OF AGRICULTURE

**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River
Big Blue River
Chapman Creek
Chikaskia River
Cottonwood River
Delaware River
Little Arkansas River
Little Blue River
Marais des Cygnes River
Medicine Lodge River
Mill Creek (Wabaunsee Co. area)
Neosho River

Ninnescah River
North Fork Ninnescah River
Rattlesnake Creek
Republican River
Saline River
Smoky Hill River
Solomon River
South Fork Ninnescah
Spring River
Walnut River
Whitewater River



49891

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

SWORN STATEMENT
PURSUANT TO K.S.A. 82a-709

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 AUGUST 16, 2017.

James E. Mason
Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

WATER RESOURCES
RECEIVED

AUG 18 2017

KS DEPT OF AGRICULTURE

NEW STREAM WORKSHEET

ES AW

Date: 8/21/17

File No. 49,891

Basin Name: Arkansas Basin No. 33

Stream Name: East Fork ^{Chisholm Creek} ~~Etisotm~~ Trip 4/ (Arkansas)

Stream location (confluence with parent stream):

Section 35, Township 26 South, Range 1 (East)

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 2 1 (computer assigned - entered by data entry staff)

Date Entered 8/22/2017 By UM

1320 Research Park Drive
Manhattan, Kansas 66502
Jackie McClaskey, Secretary



Phone: (785) 564-6700
Fax: (785) 564-6777
Email: ksag@kda.ks.gov
www.agriculture.ks.gov
Sam Brownback, Governor

August 18, 2017

WICHITA BOARD OF PARK COMMISSIONERS
455 NORTH MAIN, 11TH FLOOR
WICHITA KS 67202

FILE COPY

RE: Application
File No. 49891

Dear Sir or Madam:

Your application for permit to appropriate water in 36-26S-1E in Sedgwick County, was received and has been assigned the file number noted above.

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

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

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor . . .

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

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

Sincerely,

A handwritten signature in black ink that reads "Kristen A. Baum". The signature is written in a cursive, flowing style.

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: STAFFORD Field Office
GMD

SCANNED



26S01E36

Proposed Point of Diversion (Dam):
998'N & 1887'W

1 inch = 1,000 feet

WATER RIGHTS RECEIVED
AUG 18 2017
KS DEPT OF AGRICULTURE
2012 Aerial



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

-  Proposed PD
-  Proposed Place of Use
-  Domestic Wells
-  Water Rights
-  SFFOsec_corners

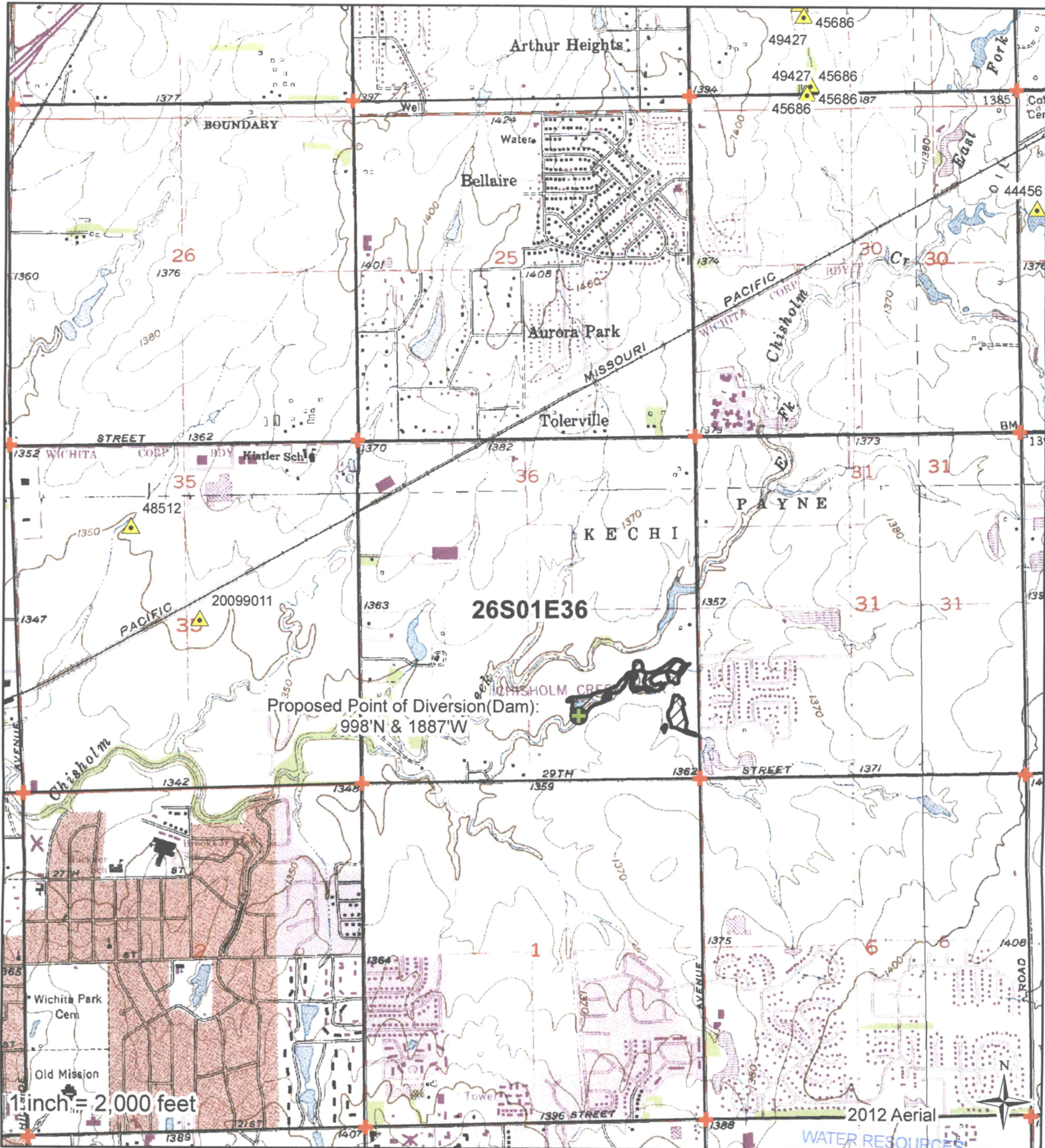
Signature _____ Date _____

0 400 800 1,600 2,400 3,200 Feet

AUG 08 2017

Created By: Matt Meier
FO 2
Date: 6/30/2017

KS DEPT OF AGRICULTURE



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

AUG 08 2017

- Proposed PD
- Proposed Place Of Use
- Domestic Wells
- Water Rights
- SFFOsec_corners



Signature _____

Date _____

KS DEPT OF Created By: Matt Meier
F.O. 2
Date: 6/30/2017

SCANNED