

# 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.

THE STATE  OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number: 50218  
This item to be completed by the Division of Water Resources.

Water Resources  
Received

**APPLICATION FOR PERMIT TO  
APPROPRIATE WATER FOR BENEFICIAL USE**  
Filing Fee Must Accompany the Application  
(Please refer to Fee Schedule attached to this application form.)

MAR 07 2019  
12:20  
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): SEDGWICK CO ENVIRONMENTAL RESOURCES DEPT  
Address: (Att: Susan Erlenwein) 1144 S Seneca  
City: Wichita State KS Zip Code 67213  
Telephone Number: (316) 660-7205

2. The source of water is:  surface water in \_\_\_\_\_ (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 30 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. LGMD Meets K.A.R. 5-3-1 (YES / NO) Use REC Source G/S County SG By DAW Date 3/7/19  
Code REG Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 3/7/19 Check # CC

3/12/2019 WJ

File No. \_\_\_\_\_

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 NW quarter of the SE quarter of the SE quarter of Section 10, more particularly described as being near a point 1122 feet North and 1224 feet West of the Southeast corner of said section, in Township 27 South, Range 1 West, 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):

SEDGWICK COUNTY

(name, address and telephone number)

BOARD OF COUNTY COMMISSIONERS SUITE 320 525 N MAIN ST WICHITA KS 67203-3759 (316) 660-9300

(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 Groundwater pit and connected water features and (was completed (by) Existing)  
(number of wells, pumps or dams, etc.)  
(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)

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 NW quarter of the SE quarter of the SE quarter of Section 10, more particularly described as being near a point 1122 feet North and 1224 feet West of the Southeast corner of said section, in Township 27 South, Range 1 West, 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):

SEDGWICK COUNTY  
(name, address and telephone number)

BOARD OF COUNTY COMMISSIONERS SUITE 320 525 N MAIN ST WICHITA KS 67203-3759 (316) 660-9300  
(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 March 6, 2019, Susan J. Williams  
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 Groundwater pit and connected water features  
(number of wells, pumps or dams, etc.)  
and (was completed (by) Existing  
(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)

File No. \_\_\_\_\_

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	2005			
Total depth of well	47			
Depth to water bearing formation				
Depth to static water level	16			
Depth to bottom of pump intake pipe				

14. The relationship of the applicant to the proposed place where the water will be used is that of OWNER  
(owner, tenant, agent or otherwise)

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

SEDGWICK COUNTY  
(name, address and telephone number)

BOARD OF COUNTY COMMISSIONERS SUITE 320 525 N MAIN ST WICHITA KS 67203-3759 (316) 660-9300  
(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 WICHITA, Kansas, this 6 day of MARCH 2019  
(month) (year)

  
(Applicant Signature)

By \_\_\_\_\_  
(Agent or Officer Signature)

\_\_\_\_\_  
(Agent or Officer - Please Print)

Assisted by MJM/SFFO ESII Date: 2/15/2019  
(office/title)

50218

## 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.

#### CONVERSION FACTORS

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

Water Resources  
Received

MAR 07 2019

KS Dept Of Agriculture

## RECREATIONAL USE SUPPLEMENTAL SHEET

File No. \_\_\_\_\_

Name of Applicant (Please Print): SG CO ENVIRONMENTAL RESOURCES DEPT.

1. Please indicate type of recreational use (boating, fishing, swimming, etc.): \_\_\_\_\_  
Recreational purposes covering evaporation losses from a groundwater pit, canal system,  
and corresponding water features at the Sedgwick County Zoo.

2. Please summarize how the water will be used and justify the quantity of water requested: \_\_\_\_\_  
Potential Net Evap: T27S R1W: 20"  
Pit and Canal: 15 acres, West Pond 3 Acres. Total 18 Acres  
18 Acres x 20" = 360 / 12"/1' = 30 AF Evap

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

<b>ESTIMATED FUTURE WATER DIVERTED/STORED</b>	
<b>NEXT 5 YEARS</b>	<b>WATER TO BE DIVERTED (ACRE-FEET OR GALLONS)</b>
Year 1	30 AF
Year 2	30 AF
Year 3	30 AF
Year 4	30 AF
Year 5	30 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.  
Canal system, pond, and groundwater pit Sedgwick County Zoo Located in the East Half  
of Section 10, Township 27 South, Range 1 West Sedgwick County, Kansas.

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

(Date)

Kansas Department of Agriculture  
Division of Water Resources  
David W. Barfield, Chief Engineer  
109 SW 9<sup>th</sup> Street, 2nd Floor  
Topeka, Kansas 66612-1283

Re: Application File No. 50218

Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also 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. I realize that this could affect the economics of my decision to appropriate water.

I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

Susan D. Erlenwein  
Signature of Applicant

State of Kansas )  
County of Sedgwick ) ss

Susan D. Erlenwein  
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 6th day of March, 2019.



Lisa A. Carr  
Notary Public

My Commission Expires: August 16, 2019

Water Resources  
Received

MAR 07 2019



RESOLUTION NO. 047-2019

DATE ADOPTED: 3-6-2019

**A RESOLUTION DELEGATING AUTHORITY REGARDING WATER RIGHTS AND WATER WELLS FOR REAL PROPERTY OWNED BY SEDGWICK COUNTY**

**WHEREAS**, the Board of County Commissioners wishes to delegate its authority to apply to the State of Kansas for water rights, to amend any such water rights, and to obtain permission to construct water wells, all with respect to water rights owned by Sedgwick County and for real property owned by Sedgwick County; and

**WHEREAS**, the Board of County Commissioners wishes to delegate such authority to the Sedgwick County Environmental Resources Director and the County Engineer for Sedgwick County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS that:

**Section 1. Delegation of Authority:**

The Board of County Commissioners hereby delegates the authority to apply to the State of Kansas (including any designated agencies and divisions) for water rights, to amend any such water rights, and to obtain permission to construct water wells, all with respect to water rights owned by Sedgwick County and for real property owned by Sedgwick County, to the Sedgwick County Environmental Resources Director and the County Engineer for Sedgwick County. This delegation of authority shall include but not necessarily be limited to any action that may be taken pursuant to K.S.A. 82a-701, et seq. This delegation of authority shall also apply to any matters, forms, and actions that may be ancillary or related to the items expressly mentioned within this section.

**Section 2. Reports to the Board of County Commissioners.**

Within ten (10) business days after taking any formal action on behalf of the County pertaining to water rights, the Environmental Resources Director and the County Engineer shall notify the Board of County Commissioners in writing regarding such action.

**Section 3. Effective Date.**

This Resolution shall be effective upon its approval by the Board of County Commissioners.

Commissioners present and voting were:

PETER F. MEITZNER  
MICHAEL B. O'DONNELL, II  
DAVID T. DENNIS  
LACEY D. CRUSE  
JAMES M. HOWELL

Aye  
Aye  
Aye  
Aye  
Aye

Dated this 6 day of March, 2019.

BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

ATTEST:

Kelly B. Arnold  
KELLY B. ARNOLD, County Clerk



David T. Dennis  
DAVID T. DENNIS, Chairman  
Commissioner, Third District

Peter F. Meitzner  
PETER F. MEITZNER, Chair Pro Tem  
Commissioner, First District

APPROVED AS TO FORM:

Justin M. Waggoner  
JUSTIN M. WAGGONER  
Assistant County Counselor

Michael B. O'Donnell, II  
MICHAEL B. O'DONNELL, II  
Commissioner, Second District

Lacey D. Cruse  
LACEY D. CRUSE  
Commissioner, Fourth District

James M. Howell  
JAMES M. HOWELL  
Commissioner, Fifth District

Water Resources  
Received

MAR 07 2019

KS Dept Of Agriculture

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, Interim Secretary

Laura Kelly, Governor

March 8, 2019

SEDGWICK CO ENVIRONMENTAL RESOURCES DEPT  
SUSAN ERLLENWEIN  
1144 S SENECA  
WICHITA, KS 67213

RE: Application, File No. **50218**

Dear Sir or Madam:

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

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

Additional information about the process may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any other questions, please contact our office at 785-564-6640 or your local Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

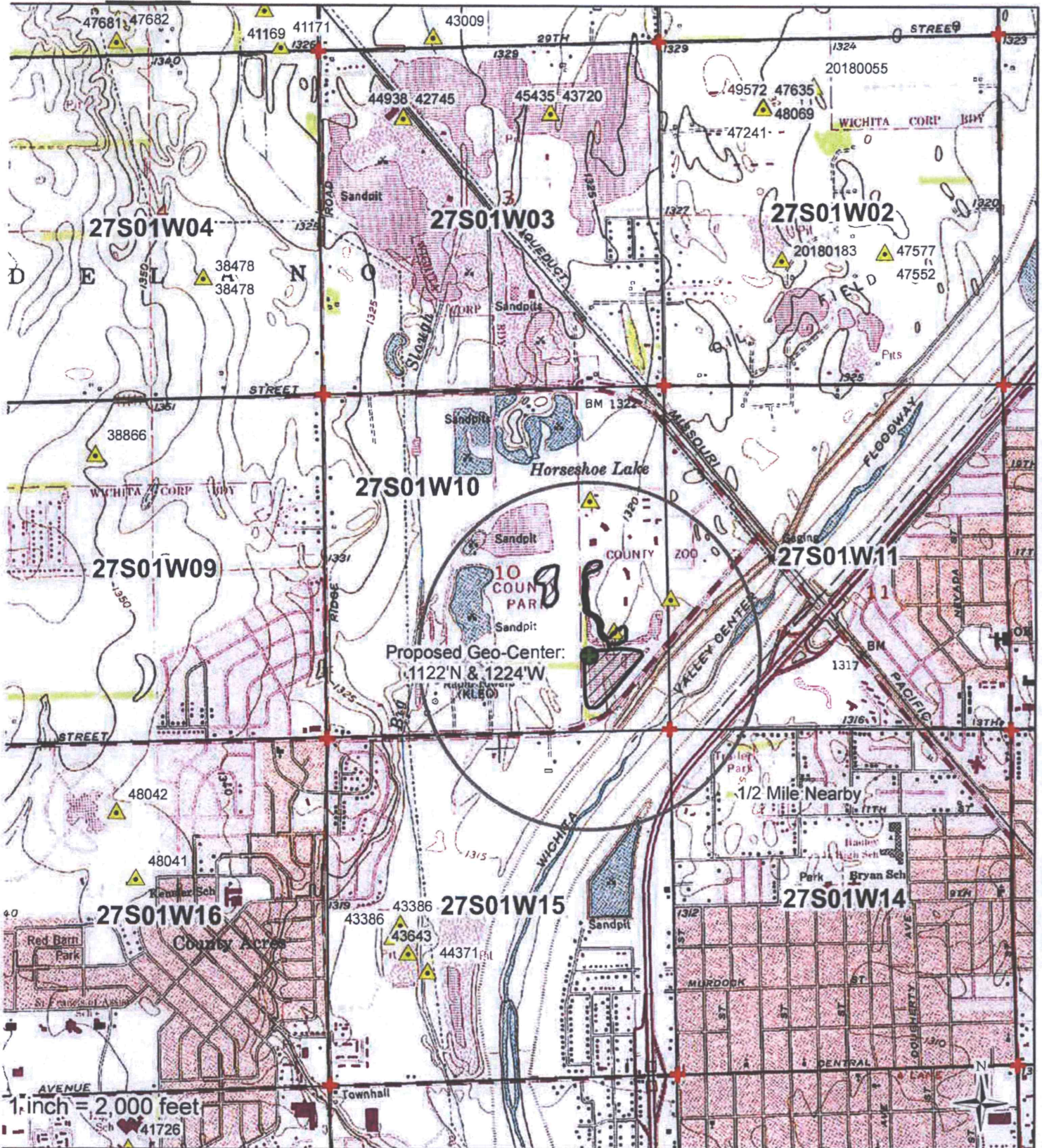
Sincerely,

A handwritten signature in cursive script that reads "Kristen A. Baum".

Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program

50218

File No.



1 inch = 2,000 feet

- Proposed PD
- Water Rights
- Proposed Place Of Use
- Domestic Wells
- SFFOsec\_corners

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. All wells within 1/2 mile are owned by Sedgwick County.

*Susan J. Kluwe* 3/6/19  
 Signature Date



Water Resources Received  
 MAR 07 2019  
 Created By: Matt Meier  
 F.O. 2  
 Date: 2/20/2019

KS Dept Of Agriculture

File No.



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
- Water Rights
- Proposed Place Of Use
- Domestic Wells
- SFFOsec\_corners

*Susan J. Blumstein*      3/16/19

Signature      Date  
0   462.5   925   1,850   2,775   3,700  
Feet

Created By: Matt Meier  
F.O. 2  
Date: 2/20/2019