

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

**APPLICATION FOR APPROVAL TO
CHANGE THE PLACE OF USE, THE
POINT OF DIVERSION OR THE USE
MADE OF THE WATER UNDER AN
EXISTING WATER RIGHT**



Filing Fee Must Accompany the Application
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- (Check one or more)
- Place of Use
 - Point of Diversion
 - Use Made of Water

Water Resources
Received
AUG 10 2020
11:31
KS Dept Of Agriculture

File No. 48069

2. Name of applicant: JACK PEW

Address: 2880 N. CURTIS

City, State and Zip: WICHITA Ks 67205

Phone Number: (316) 518-5225 E-mail address: PEWJACK1@GMAIL.COM

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: SAME AS ABOVE

Address: _____

City, State and Zip: _____

Phone Number: () _____ E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): _____

The industrial use of the authorized sand and gravel pit has been completed and it is proposed to change the use made of water (evaporation loss) to recreational use. Recreational use to consist of such activities as fishing, boating, and swimming.

The change(s) (was) (will be) completed by February 12, 2020 (Date)

For Office Use Only:														
F.O.	<u>2</u>	GMD	Meets K.A.R. 5-5-1	<input checked="" type="checkbox"/> (YES/NO)	Use	<u>IND</u>	Source	<input checked="" type="checkbox"/> G / <input type="checkbox"/> S	County	<u>SG</u>	By	<u>BMM</u>	Date	<u>8/10/20</u>
Code	<u>CWO</u>		<u>IND</u>	Fee \$	<u>700</u>	TR #		Receipt Date	<u>8/10/2020</u>	Check #	<u>1283</u>			

8/11/2020
LMoody

Assisted by: Don Koci, PG
Burns & McDonnell
620-664-0273

4. The presently authorized place of use is:

Owner of Land — NAME: Sandcrest HOA
 ADDRESS: 2880 N Curtis, Wichita KS 67205

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
02	27S	01W					42.0 acres surface area in E 1/2 of NW 1/4 , and near center of E 1/2 of W 1/2 of NW 1/4												42

List any other water rights that cover this place of use. 47241, 47635-D1, 49572

Owner of Land — NAME: _____
 ADDRESS: _____
Per revised map received 5/20/21.
EKF 5/25/21

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
(This table is crossed out with a diagonal line from top-left to bottom-right.)																			

List any other water rights that cover this place of use. _____

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: No change in place of use proposed
 ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
(This table is crossed out with a diagonal line from top-left to bottom-right.)																			

List any other water rights that cover this place of use. _____

Owner of Land — NAME: _____
 ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
(This table is crossed out with a diagonal line from top-left to bottom-right.)																			

List any other water rights that cover this place of use. _____

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

6. The presently authorized point(s) of diversion (is)(are) One (1) groundwater pit
(Provide description and number of points)
7. The proposed point(s) of diversion (is) (are) No change in point of diversion is proposed
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:** *Geographic Center of Groundwater Pit*
 One in the Southwest Quarter of the Northeast Quarter of the Northwest Quarter
 of Section 02, Township 27 South, Range 01 (E/W),
 in Sedgwick County, Kansas, 4,310 feet North 3,780 feet West of Southeast corner of section.
 Authorized Rate natural evap. Authorized Quantity 12.3 acre-feet per year
 (DWR use only: Computer ID No. 07 GPS 4,146 feet North 3,684 feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ 47241, 47635-D1 &
 This point is: Additional Well Geo Center List other water rights that will use this point 49572

9. **Presently authorized point of diversion:** *Per File. EKF 5/25/21*
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

10. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. _____
 Not applicable

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

Water Resources

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12. The presently authorized use of water is for Industrial purposes.
It is proposed that the use be changed to Recreational purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
No increase in exposed groundwater surface acres will occur, therefore no increase in evaporation loss amount or consumptive use will result.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to No change (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to No change gallons per minute (c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

- 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 West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
 - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

The proposed application only relates to a change in use made of water from Industrial to Recreational use with no changes to currently authorized and actual rate of diversion, quantity, place of use, point of diversion and consumptive use.

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

No apparent non-compliance issues

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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.

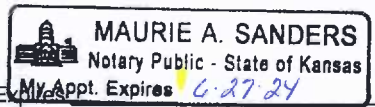
I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Wichita, Kansas, this 4th day of August, 2020

<u>Jack Pew</u> (Owner)	_____	(Spouse)
<u>JACK PEW</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)

State of Kansas }
County of SEDGWICK } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 4th day of AUGUST, 2020.

 MAURIE A. SANDERS
Notary Public - State of Kansas
My Appt. Expires 6-27-24

Maurie A. Sanders
Notary Public

My Commission Expires JUNE 27, 2024

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
- (4) Application to change the use made of the water \$300

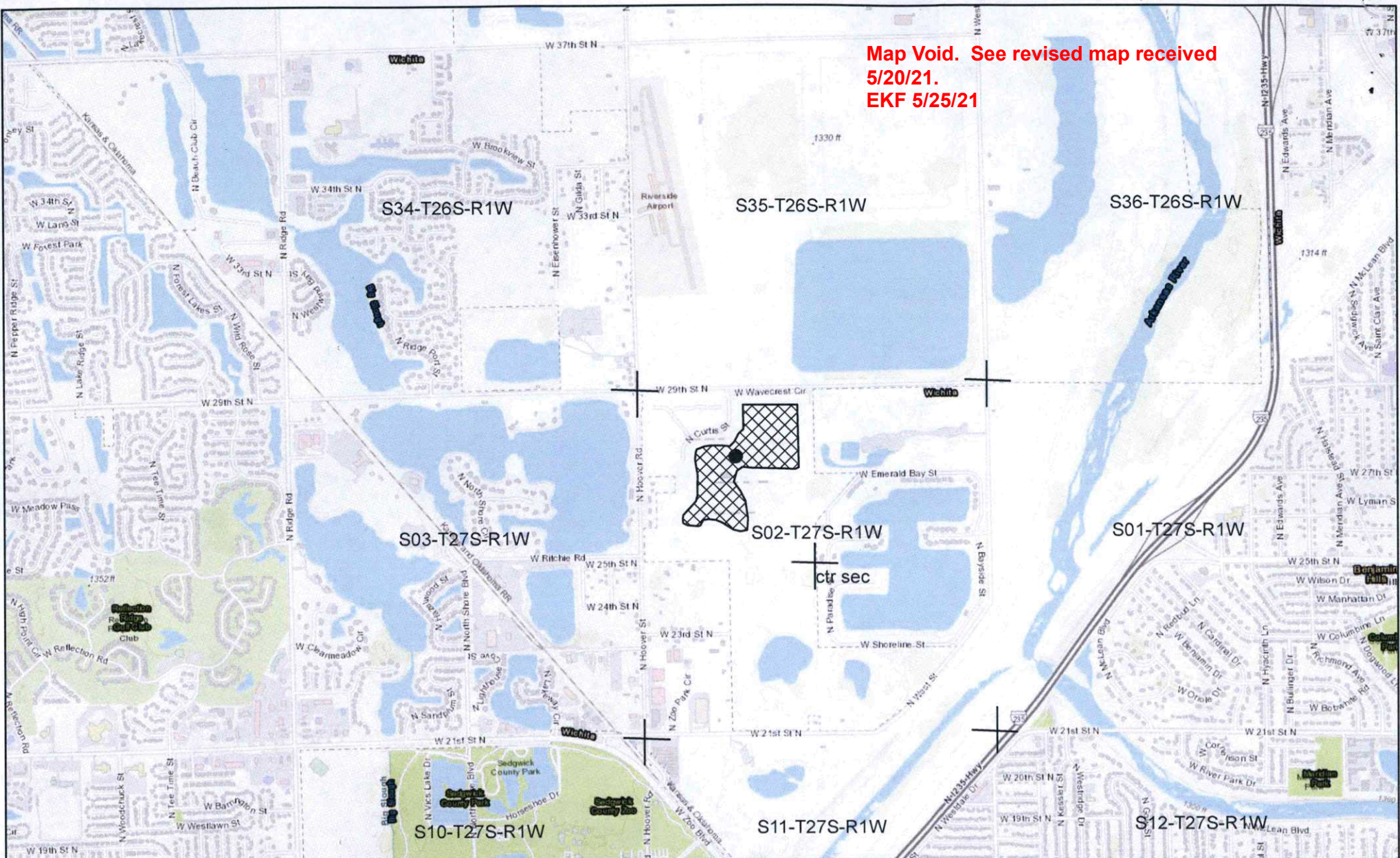
Make check payable to Kansas Department of Agriculture.

Water Resources
Received

AUG 10 2020

KS Dept Of Agriculture


Map Void. See revised map received
5/20/21.
EKF 5/25/21



Application Map
Change in Use Mad of Water
File Nos. 47241, 47635-D1,
48069, and 49572

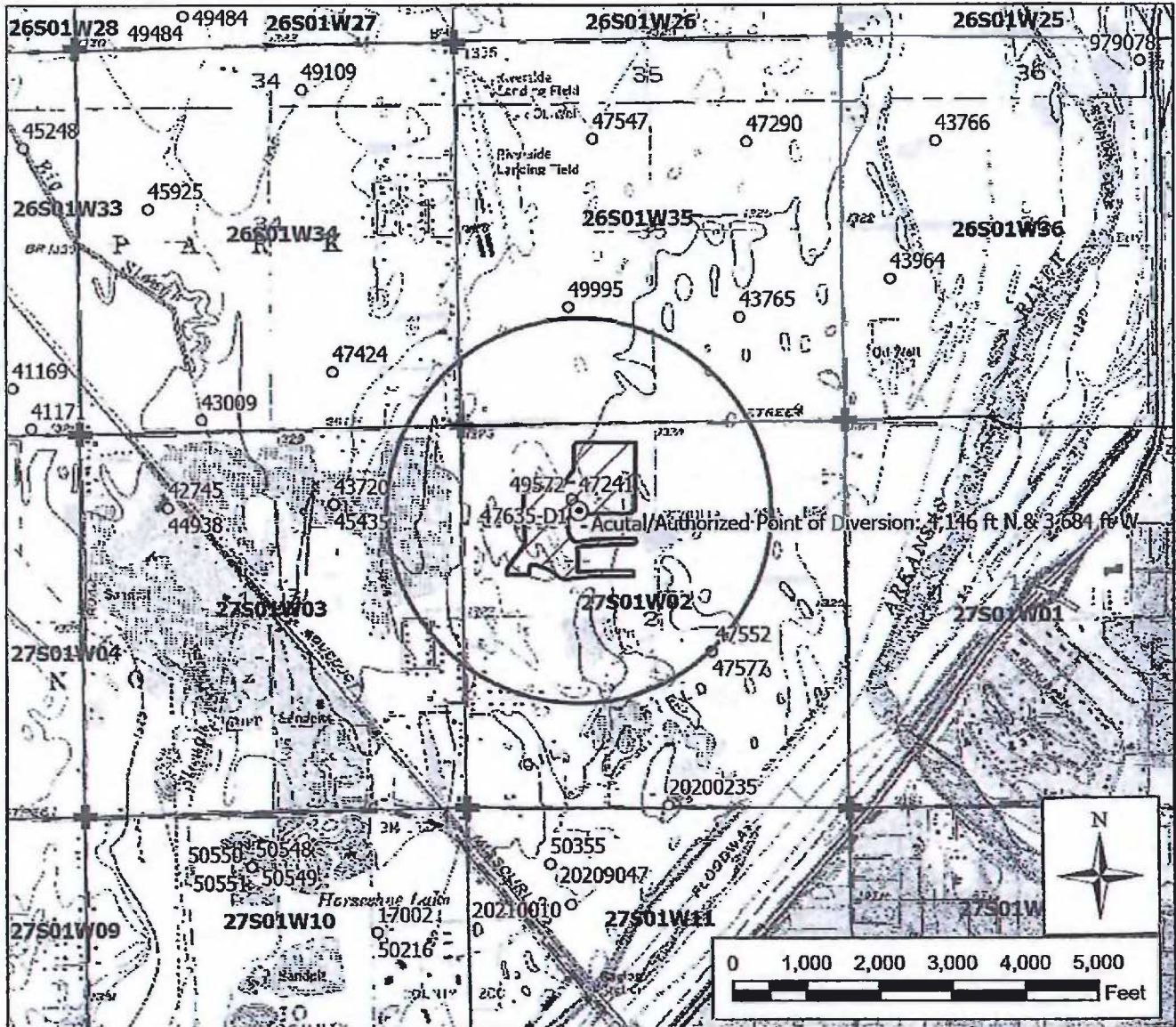


Legend

- Authorized Point of diversion
(4,310' N & 3,780' W of SE Sec. Corner)
-  Authorized Place of Use

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Received
AUG 10 2020
KS Dept Of Agriculture

2880 N. Curtis
Wichita, KS 67205 is preferred address



- Legend**
- Water Appropriation
 - Actual Point of Diversion
 - ⊙ Authorized Point of Diversion
 - ☆ Domestic Well
 - ▭ Section Line
 - ▭ Authorized Place of Use

**Water Appropriation, File Nos.
47241, 47635-D1, 48069 & 49572**

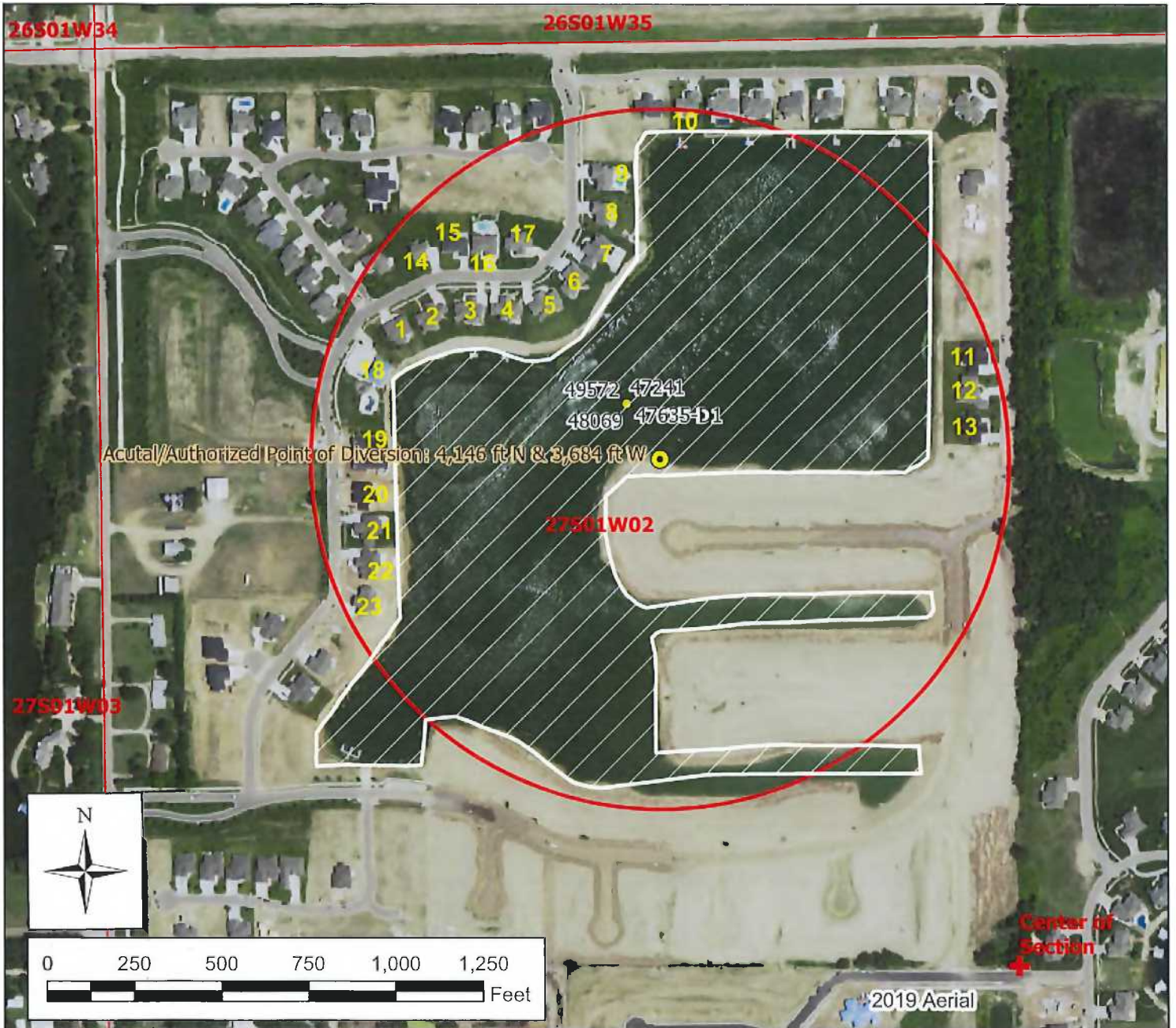
REVISED Change in UMW Application Map
2-27-1W // Sedgwick County

Due to the large number of domestic groundwater wells within one-half mile of the authorized point of diversion, assistance with a public notice is requested.

Ryan Zutz 5/19/21
Signature / Date

4/26/2021 EKF/SFFO 1:24,000 scale
RECEIVED

MAY 20 2021



Legend

- Water Appropriation
- Actual Point of Diversion
- Authorized Point of Diversion
- ★ Domestic Well
- Section Line
- 1,000 ft Circle
- Authorized Place of Use

Water Appropriation, File Nos. 47241, 47635-D1, 48069 & 49572

REVISED Change in UMW Application Map 2
2-27-1W // Sedgwick County

To the best of my knowledge, all groundwater wells within 1,000 feet of the authorized point of diversion have been shown.

RECEIVED

MAY 10 2021

Signature / Date

4/26/2021 EKF/SFE
 Stafford Field Office
 Division of Groundwater Resources

Sandcrest Certification and Change Application

Properties with Potential Domestic Wells

Within 1,000 feet of Geo-Graphic Center of Groundwater Pit

1. STEFFES STACEY & BRET MARCOTTE, 2904 N Curtis Street, Wichita, KS 67205
2. MURPHY DARY G & CULA K, 2908 N. Curtis Street, Wichita, KS 67205
3. LAUER DAVID K & LINDA K, 2912 N. Curtis Street, Wichita, KS 67205
4. KUBIK JASON R & CAREY L, 2916 N. Curtis Street, Wichita, KS 67205
5. PEREZ RAMON III & RUBY ANN, 2920 N. Curtis Street, Wichita, KS 67205
6. CLINTON CRAIG & LORI, 2924 N. Curtis Street, Wichita, KS 67205
7. FISCHER KAYLA M LIV TR, 2928 N. Curtis Street, Wichita, KS 67205
8. KOCUKOV ANDREW & ABBY, 2932 N. Curtis Street, Wichita, KS 67205
9. COTTINGHAM MICHAEL & MICHELLE, 2936 N. Curtis Street, Wichita, KS 67205
10. PEW FAM TR, 5117 N. Wavecrest, Wichita, KS 67205
11. CAMPBELL KEVIN D & PHYLLIS J, 4913 W Wavecrest CIR, Wichita, KS 67205
12. CARNEY MICHAEL J, 4909 W. Wavecrest CIR, Wichita, KS 67205
13. STEINER RODOLFO & FELICIA REV TR, 4905 W. Wavecrest CIR, Wichita, KS 67205
14. DIXON IAN, 2909 N. Curtis Street, Wichita, KS 67205
15. KINKAID SHAWN, 2913 N. Curtis Street, Wichita, KS 67205
16. ADAMS JULIE A & DOUGLAS H, 2917 N. Curtis Street, Wichita, KS 67205
17. ADAMS ROBERT C & JACKI K, 2921 N CURTIS ST, Wichita, KS 67205
18. SANDCREST HOMEOWNERS ASSOC, PO Box 75337, Wichita, KS 67275
19. THE AMENDED AND RESTATED JAY W RUSSELL, PO Box 75337, Wichita, KS 67275
20. ANDERS L LEE & ROXIE A, 607 N. Kingman Street, Haviland, KS 67059
21. BULIS THOMAS O & CAROLINE R, 2730 N. Curtis Street, Wichita, KS 67205
22. ARMSTRONG SHANE R & HOLLY E, 2725 N. Curtis Street, Wichita, KS 67205
23. CAHOONE RICHARD B & NATALIE R, 2722 N. Curtis Street, Wichita, KS 67205

RECEIVED

MAY 10 2021

Stafford Field Office
DIVISION OF WATER RESOURCES