

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/U WORKSHEET

Document Signature _____

1. File Number: 43728	2. Status Change Date: 12/18/2017	3. Change Num: C2	4. Field Office: 04	5. GMD: 03
6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 17-JAN-2017
8a. Applicant(s) New to system <input type="checkbox"/> HAMLIN FARMS PARTNERSHIP 1503 RD 26 HUGOTON KS 67951-5152		Person ID <u>62359</u> Add Seq# <u>1</u>		8d. Landowner(s) New to system <input type="checkbox"/> DENNIS D & KATHY A HAMLIN TRUSTS D D & K A HAMLIN TTEES 1503 ROAD 26 HUGOTON KS 67951-5152
8b. Landowner(s) New to system <input type="checkbox"/> DEBRA HARRIS C/O DENNIS D & KATHY A HAMLIN TRUSTS 1503 ROAD 26 HUGOTON KS 67951-5152		Person ID <u>58120</u> Add Seq# <u>1</u> <i>Add chg</i>		8e. Landowner(s) New to system <input type="checkbox"/> RYAN HAMLIN C/O DENNIS D HAMLIN 1503 ROAD 26 HUGOTON KS 67951-5152
8c. Landowner(s) New to system <input type="checkbox"/> HELEN GUTTRIDGE TRUST DEBRA HARRIS PETERSON TRUSTEE C/O DENNIS D HAMLIN 1503 ROAD 26 HUGOTON KS 67951-5152		Person ID <u>351047</u> Add Seq# <u>1</u> <i>Name r Add Chg</i>		8f. WUC New to system <input type="checkbox"/> HAMLIN FARMS PARTNERSHIP 1503 RD 26 HUGOTON KS 67951 (NO CHANGE)
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/18</u> <input type="checkbox"/> N & P Date to Comply: _____				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: _____ To: _____				
Date Prepared: 11/29/17 By: RAK Date Entered: 12/20/2017 By: LLM				

File No. **43728** 11. County: **SW** Basin: **CIMARRON RIVER** Stream: Formation Code: **211** Special Use:

12. Points of Diversion										Rate and Quantity							
MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment	Authorized		Additional		Overlap PD Files			
										Rate gpm	Quantity af	Rate gpm	Quantity af				
MOD	83109	NE¼ NE¼ SW¼	19	33	34W	2					2433	3065	1255 g.p.m.	745AF	375 g.p.m.	127AF	43728
KEEP PD COMMENT 75' W OF PREVIOUS POINT OF DIVERSION																	

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. **KEEP** Limitation: 1005AF/YR COM/W #19102
KEEP Limitation: 1255GPM COM/W #19102

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use		NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files				
MOD DEL ENT	PUSE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE								
		¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼								
MOD	2940	19	33	34W	1					34	34	34	34									544	8b & 8e	yes	see above
Lot 1 (NWNW) Lot 2 (SWNW)																									
Lot 3 (NWSW) Lot 4 (SWSW)																									
MOD	16781	29	33	34W	1					34	34	34	34									136	8d	no	see above
ENT	13390	32	33	34W	1					40	40	40	40									320	8c & 8d	yes	see above

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
M E M O R A N D U M

TO: Files

DATE: November 29, 2017

FROM: Richelle A. Krueger

RE: Application, File No. 49,759
Water Right
File Nos. 10,736; 19,102; and 43,728

Hamlin Farms Partnership etal, filed additional rate only Application, File No. 49,759 for irrigation use, requesting a quantity of 260 acre-feet and a diversion rate of 880 gallons per minute from one of the two existing irrigation wells authorized by Water Right, File No. 19,102. File No. 49,759 will be limited to 260 acre-feet and 880 gallons per minute when combined with File No. 19,102 from the well located 3,831 feet North and 3,955 feet West of the Southeast corner of the Section 29, Township 33 South, Range 34 West Seward County. File No. 49,759 is exempt from a safe yield calculation and appears to meet the criteria of K.A.R. 5-4-5. Applications to change the place of use filed for Water Right, File Nos. 10,736; 19,102; and 43,728 propose to create an exact overlap in place of use with File No. 49,759, all files located in the Cimarron River Basin.

The referenced change applications are not abandoned pursuant to K.S.A. 82a-718.

The second well authorized by File No. 19,102 is overlapped by File No. 43,728 and the two files are authorized a limited total of 1,005 acre-feet with a limited diversion rate of 1,255 gallons per minute for irrigation use on the same 680 acres located in Sections 19 and 29, Township 33 South, Range 34 West, Seward County. File No. 10,736 has no overlaps in its authorized point of diversion or 320-acre place of use all located in the North Half (N½) of Section 32 of the abovementioned township and range. The proposed irrigation place of use for the referenced file numbers totals 1,000 acres all located in Sections 19, 29 and 32, Township 33 South, Range 34 West, Seward County, and the 1,705 acre-feet to be authorized for the irrigation place of use appears reasonable.

There are no non-domestic wells within one-half mile of the proposed point of diversion. Nearby domestic well owners identified on the map and not owned by the water right owners were notified of the proposed applications through a letter dated March 8, 2017; no responses have been received as of today's date.

The same local source of supply will not change, previously determined to be Ogallala Formation (211)/Dakota Formation (331).

In a letter dated November 17, 2017, Jason Norquest, Assistant Manager of Southwest Kansas Groundwater Management District No. 3 recommended approval of the applications at this time.

Authorized points of diversion will be better described with g.p.s. feet distances as indicated in compliance investigations.

In a November 27, 2017 e-mail Michael Meyer, Water Commissioner of the Garden City Field Office, recommended approval of the referenced applications.

Based on the above discussion, it has been recommended that the referenced applications be approved.


Richelle A. Krueger
Environmental Scientist

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

December 21, 2017

HAMLIN FARMS PARTNERSHIP
DENNIS D & KATHY A HAMLIN ETAL
1503 ROAD 26
HUGOTON KS 67951-5152

FILE COPY

RE: Appropriation of Water, File No. 49,759
Water Right, File Nos. 10,736; 19,102 and 43,728

Dear Mr. and Mrs. Hamlin:

There is enclosed a permit (File No. 49,759) 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. A water meter is required and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

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.

In addition, enclosed are orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under Water Right, File Nos. 10,736; 19,102 and 43,728. Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals is that acceptable water flow meters must be installed on the diversion works authorized under the referenced file numbers. Please return the required notification of completion of the installation of the required meters as soon as these actions are completed.

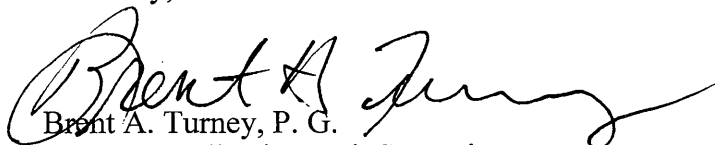
Hamlin Farms Partnership
File Nos. 10,736; 19,102 and 43,728
Page 2

Since the orders for File Nos. 10,736; 19,102 and 43,728 modify the original documents referred to above they should be recorded with the Register of Deeds as other instruments affecting real estate.

Please be reminded that reports of water usage must be submitted to this office annually. Records indicating the amount of water used should be furnished to the Chief Engineer by March 1 following the end of the previous calendar year so that the continued use of water becomes a matter of record in this office. The owner, or his or her legally designated agent, is held responsible for submitting annual water use reports. Failure to file an accurate water use report is a violation of law which makes you subject to civil penalties.

If you have any questions, please contact our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,



Brent A. Turney, P. G.
Change Application Unit Supervisor
Water Appropriation Program

BAT:rak

Enclosures

pc: Garden City Field Office
Groundwater Management District No. 3


 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
 FOR
 CHANGE IN PLACE OF USE
 AND ORDER
 AND BETTER DESCRIBING THE
 AUTHORIZED POINT OF DIVERSION
 WATER RIGHT
 FILE NO. 43,728**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Hamlin Farms Partnership, Dennis D. and Kathy A. Hamlin, Trustees, on behalf of Dennis D. and Kathy A. Hamlin Trusts, Debra Harris, Debra Peterson, Trustee, on behalf of Helen Guttridge Trust, and Ryan and Hilda Hamlin, 1503 Road 26, Hugoton, Kansas, 67951-5152, received in this office on January 17, 2017, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, as modified and amended by the Order of the Chief Engineer dated April 9, 2014, approving the application to change the point of diversion, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the place of use shall be:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
			NE¼	NW¼	SW¼	SE¼	NE¼	Lot 1	Lot 2	SE¼	NE¼	NW¼	Lot 3	Lot 4	SE¼	NE¼	NW¼	SW¼		SE¼
19	33S	34W	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	544.00
29	33S	34W					34.00	34.00	34.00	34.00										136.00
32	33S	34W	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00										320.00

a total of 1,000.00 acres in Township 33 South, Range 34 West, Seward County, Kansas, located substantially as shown on the map accompanying the application to change the place of use, and the location of the authorized point of diversion is better described as:

one (1) well located in the Northeast Quarter of the Northeast Quarter of the Southwest Quarter (NE¼ NE¼ SW¼) of Section 19, more particularly described as being near a point 2,433 feet North and 3,065 feet West of the Southeast corner of said section, in Township 33 South, Range 34 West, Seward County, Kansas.

All diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 43,728, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated December 16, 2005, as modified and amended by the aforementioned order.

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 the Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, or by 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 review 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 the Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, or by 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.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

Ordered this 18th day of December, 2017, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau

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 18th day of December, 2017, by Lane P. Letourneau, P.G., Program Manager, Water Appropriation Program, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson
Notary Public

CERTIFICATE OF SERVICE

On this 21st day of December, 2017, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 43,728, dated Dec. 18th, 2017 was mailed postage prepaid, first class, US mail to the following:

HAMLIN FARMS PARTNERSHIP
DENNIS D & KATHY A HAMLIN ETAL
1503 ROAD 26
HUGOTON KS 67951-5152

With photocopies sent to:

Garden City Field Office
Groundwater Management District No. 3

Danielle Wilson
Division of Water Resources

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**



State of Kansas

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

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

WATER RESOURCES
RECEIVED

JAN 17 2017

11:12

KS DEPT OF AGRICULTURE

File No. 43728

2. Name of applicant: Hamlin Farms Partnership

Address: 1503 Rd 26

City, State and Zip: Hugoton, KS 67951

Phone Number: (620)598-2610 E-mail address: _____

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

RECEIVED

Name of water use correspondent: Same as applicant

JAN 10 2017

Address: _____

City, State and Zip: _____

Garden City Field Office
Division of Water Resources

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

3. The change(s) proposed herein are desired for the following reasons (please be specific): Combine place of use for water rights 19102, 10736, & 43728.

The change(s) (was) (will be) completed by 2017

(Date)

For Office Use Only:

F.O. 4 GMD 3 Meets K.A.R. 5-6 YES / (NO) Use F122 Source G/S County SW By ASW Date 1/17/17
Code CPU Fee \$ 200 TR # _____ Receipt Date 1/17/17 Check # 242

APPLICATION COMPLETED
11/20/17

1/19/2017 LLM

DWR 1-120 (Revised 06/16/2014) DAK

Assisted by: _____

SCANNED

4. The presently authorized place of use is:

Owner of Land — NAME: DENNIS D & KATHY A HAMLIN TRUSTS

ADDRESS: 1503 ROAD 26, HUGOTON KS 67951-5152

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					
29	33S	34W					34	34	34	34													136

List any other water rights that cover this place of use. 19102

Owner of Land — NAME: DEBRA HARRIS / Affidavit of Equitable Interest Filed by Ryan Hamlin (12-11-12)
 ADDRESS: 18070 ROAD B, LIBERAL KS 67901-5388 c/o Dennis Hamlin See above 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					
19	33S	34W	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34					544

List any other water rights that cover this place of use. 19102

RECEIVED

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

Affidavit of Equitable Interest Filed in Sec 32 on 10-15-10

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

Owner of Land — NAME: DENNIS D & KATHY A HAMLIN TRUSTS
 ADDRESS: 1503 ROAD 26, HUGOTON KS 67951-5152 c/o Dennis Hamlin
 Helen Guttridge Trust
 Debra Harris Peterson Trust
 Garden City Field Office
 Division of Water Resources
 JAN 10 2017

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					
<input checked="" type="checkbox"/> 29	33S	34W					34	34	34	34													136
<input checked="" type="checkbox"/> 32	33S	34W	40	40	40	40	40	40	40	40													320

List any other water rights that cover this place of use. 10736 & 19102 + 49759*

Owner of Land — NAME: DEBRA HARRIS / Affidavit of Equitable Interest Filed by Ryan Hamlin (12-11-12)
 ADDRESS: 18070 ROAD B, LIBERAL KS 67901-5388 c/o Dennis Hamlin See above 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					
* 19	33S	34W	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34					544

WATER RESOURCES RECEIVED

List any other water rights that cover this place of use. 10736 & 19102 + 49759*

JAN 17 2017

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY AGRICULTURE

per 3/1/17 email
 Seward Co Register of Deeds
 @ RAK/OWN 10/21/17

* Correction lots per original survey plat
 * RAK/OWN 3/1/17

SCANNED

- 6. The presently authorized point(s) of diversion (is) (are) _____
(Provide description and number of points)
- 7. The proposed point(s) of diversion (is) (are) _____
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the NE Quarter of the NE Quarter of the SW Quarter of Section 19, Township 33 South, Range 34 (E/W), in Seward County, Kansas, 2450 feet North 2975 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ * Better describe pd w/GPS feet distances
 (DWR use only: Computer ID No. 2 GPS 2433 feet North 3065 feet West) per WRI S
 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 _____ W, in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ GPM Proposed Quantity _____ AF
 This point is: Additional Well Geo Center List other water rights that will use this point _____

9. **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 _____

RECEIVED
JAN 10 2017

Garden City Field Office
Division of Water Resources

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. _____

WATER RESOURCES
RECEIVED

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

* PAK/Dnn 11/29/17

SCANNED

JAN 17 2017

12. The presently authorized use of water is for IRR purposes.

It is proposed that the use be changed to N/A purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

Not increasing consumptive use.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to N/A (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to N/A gallons per minute (N/A 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.

N/A

RECEIVED

JAN 10 2017

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.

N/A

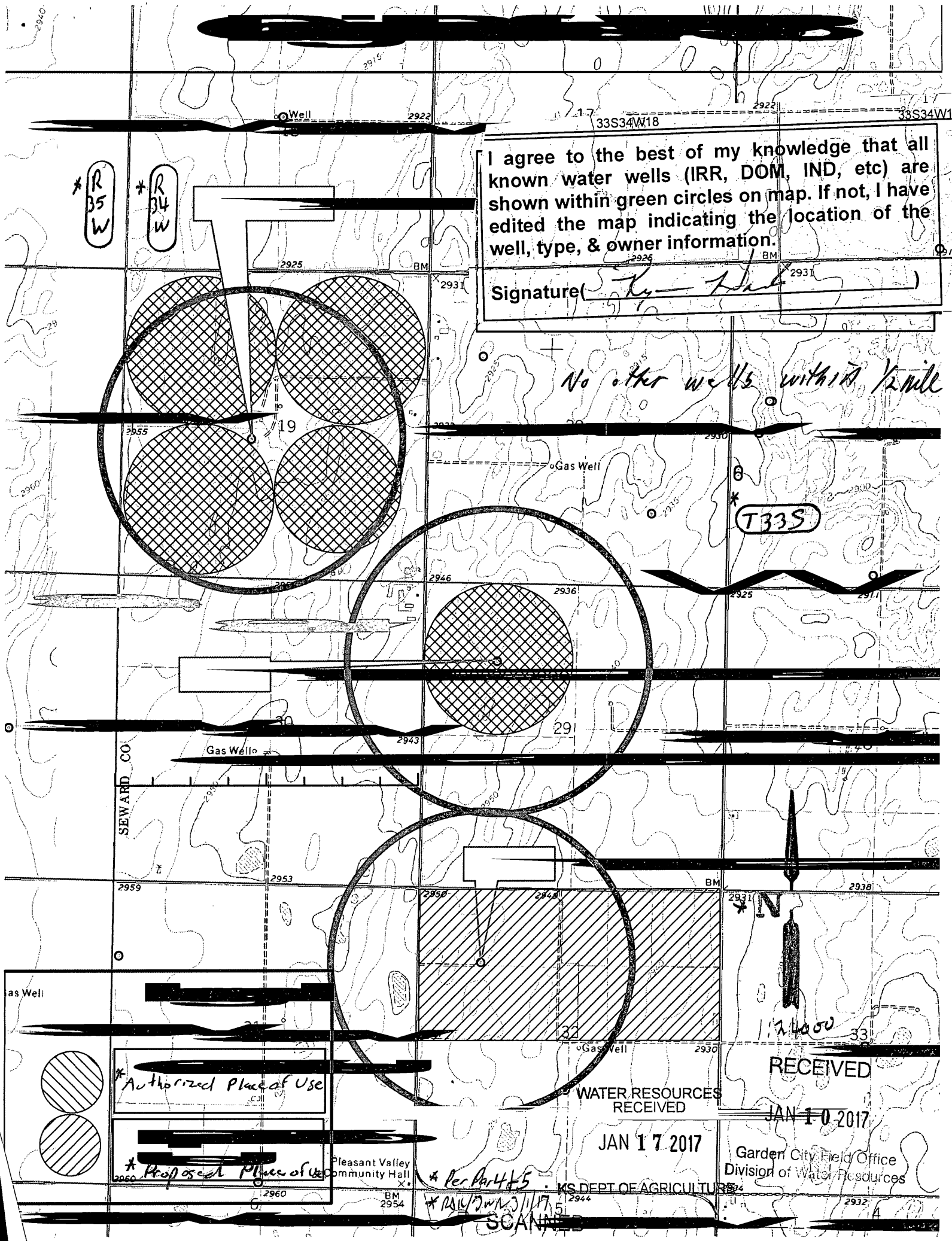
WATER RESOURCES
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JAN 17 2017

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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*R
35
W

*R
34
W

I agree to the best of my knowledge that all known water wells (IRR, DOM, IND, etc) are shown within green circles on map. If not, I have edited the map indicating the location of the well, type, & owner information.

Signature (*[Handwritten Signature]*)

No other wells within 1/2 mile

T335

SEWARD CO

* Authorized Place of Use

* Proposed Place of Use

Pleasant Valley Community Hall

* Per Par 4 & 5

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Garden City Field Office
Division of Water Resources

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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 _____, Kansas, this _____ day of _____, 20_____.

Dennis D. Hamlin Trustee
(Owner)

Ruthy A. Hamlin Trustee
(Spouse)

Dennis D. Hamlin Trustee
(Please Print)

Ruthy A. Hamlin Trustee
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

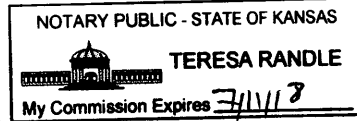
(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Stevens } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 2nd day of November, 2016.

Teresa Randle
Notary Public

My Commission Expires 7/11/18

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.**

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WATER RESOURCES
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JAN 10 2017

JAN 17 2017

Garden City Field Office
Division of Water Resources

KS DEPT OF AGRICULTURE

SCANNED

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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 Liberal, Kansas, this 26 day of October, 2017.

Ryan Hamlin
(Owner)

Hilda Hamlin
(Spouse)

RYAN HAMLIN
(Please Print)

HILDA HAMLIN
(Please Print)

(Owner)

(Spouse)

(Please Print)

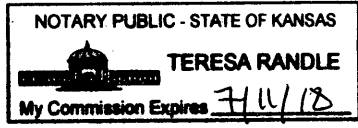
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)



State of Kansas }
County of Seward } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 26th day of October, 2017.

Teresa Randle
Notary Public

My Commission Expires 7/11/18

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**.

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OCT 30 2017

Garden City Field Office
Division of Water Resources

KS DEPT OF AGRICULTURE
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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.

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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 Battle Ground Indiana, Kansas, this 18th day of October, 2017.

x Debra Peterson, Trustee
(Owner) (Spouse)

x Debra Peterson, Trustee
(Please Print) (Please Print)

(Owner) (Spouse)

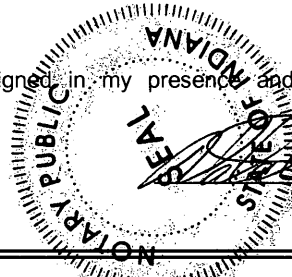
(Please Print) (Please Print)

(Owner) (Spouse)

(Please Print) (Please Print)

Indiana
State of ~~Kansas~~ }
County of Tippecanoe } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 18th day of October, 2017.



My Commission Expires July 6, 2023

[Signature]
Notary Public

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.**

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Garden City Field Office
Division of Water Resources

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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**



State of Kansas

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

- Place of Use
 Point of Diversion
 Use Made of Water

(Check one or more)

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11:12

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File No. 43728

2. Name of applicant: Hamlin Farms Partnership

Address: 1503 Rd 26

City, State and Zip: Hugoton, KS 67951

Phone Number: (620)598-2610

E-mail address: _____

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

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Name of water use correspondent: Same as applicant

JAN 10 2017

Address: _____

City, State and Zip: _____

Garden City Field Office
Division of Water Resources

Phone Number: () _____

E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): Combine place of use for water rights 19102, 10736, & 43728.

The change(s) (was) (will be) completed by 2017

(Date)

For Office Use Only:

F.O. 4 GMD 3 Meets K.A.R. 5-5-1 YES / (NO) Use FR Source G/S County SW By ASW Date 1/17/17
Code CPU Fee \$ 200 TR # _____ Receipt Date 1/17/17 Check # 1042

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1/19/2017 LCM

OCT 27 2017

Assisted by:

OCT 30 2017

4. The presently authorized place of use is:

Owner of Land — NAME: DENNIS D & KATHY A HAMLIN TRUSTS

ADDRESS: 1503 ROAD 26, HUGOTON KS 67951-5152

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	
29	33S	34W					34	34	34	34									136

List any other water rights that cover this place of use. 19102

Owner of Land — NAME: DEBRA HARRIS

ADDRESS: 18070 ROAD B, LIBERAL KS 67901-5388

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	
19	33S	34W	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	544

List any other water rights that cover this place of use. 19102

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

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

Owner of Land — NAME: DENNIS D & KATHY A HAMLIN TRUSTS

Garden City Field Office
Division of Water Resources

ADDRESS: 1503 ROAD 26, HUGOTON KS 67951-5152

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	
29	33S	34W					34	34	34	34									136
32	33S	34W	40	40	40	40	40	40	40	40									320

List any other water rights that cover this place of use. 10736 & 19102 + 49759*

Owner of Land — NAME: DEBRA HARRIS

ADDRESS: 18070 ROAD B, LIBERAL KS 67901-5388

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	
* 19	33S	34W	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	544

WATER RESOURCES RECEIVED

List any other water rights that cover this place of use. 10736 & 19102 + 49759*

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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY AGRICULTURE

* Correction lots per original survey plat

RAIDOWN 3/1/17

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6. The presently authorized point(s) of diversion (is) (are) _____
(Provide description and number of points)
7. The proposed point(s) of diversion (is) (are) _____
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **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 _____ W,
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ GPM Proposed Quantity _____ AF
 This point is: Additional Well Geo Center List other water rights that will use this point _____

9. **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 _____

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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. _____

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OCT 30 2017

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Division of Water Resources

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12. The presently authorized use of water is for IRR purposes.

It is proposed that the use be changed to N/A purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

Not increasing consumptive use.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to N/A (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to N/A gallons per minute (N/A 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.

N/A

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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.

N/A

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Dated at _____, Kansas, this _____ day of _____, 20_____.

Dennis D. Hamlin Trustee
(Owner)

Dennis D. Hamlin Trustee
(Please Print)

(Owner)

(Please Print)

(Owner)

(Please Print)

Kathy A. Hamlin Trustee
(Spouse)

Kathy A. Hamlin Trustee
(Please Print)

(Spouse)

(Please Print)

(Spouse)

(Please Print)

State of Kansas }
County of Stevens } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 4th day of November, 2016.

Teresa Randle
Notary Public

My Commission Expires 7/11/18

FEE SCHEDULE

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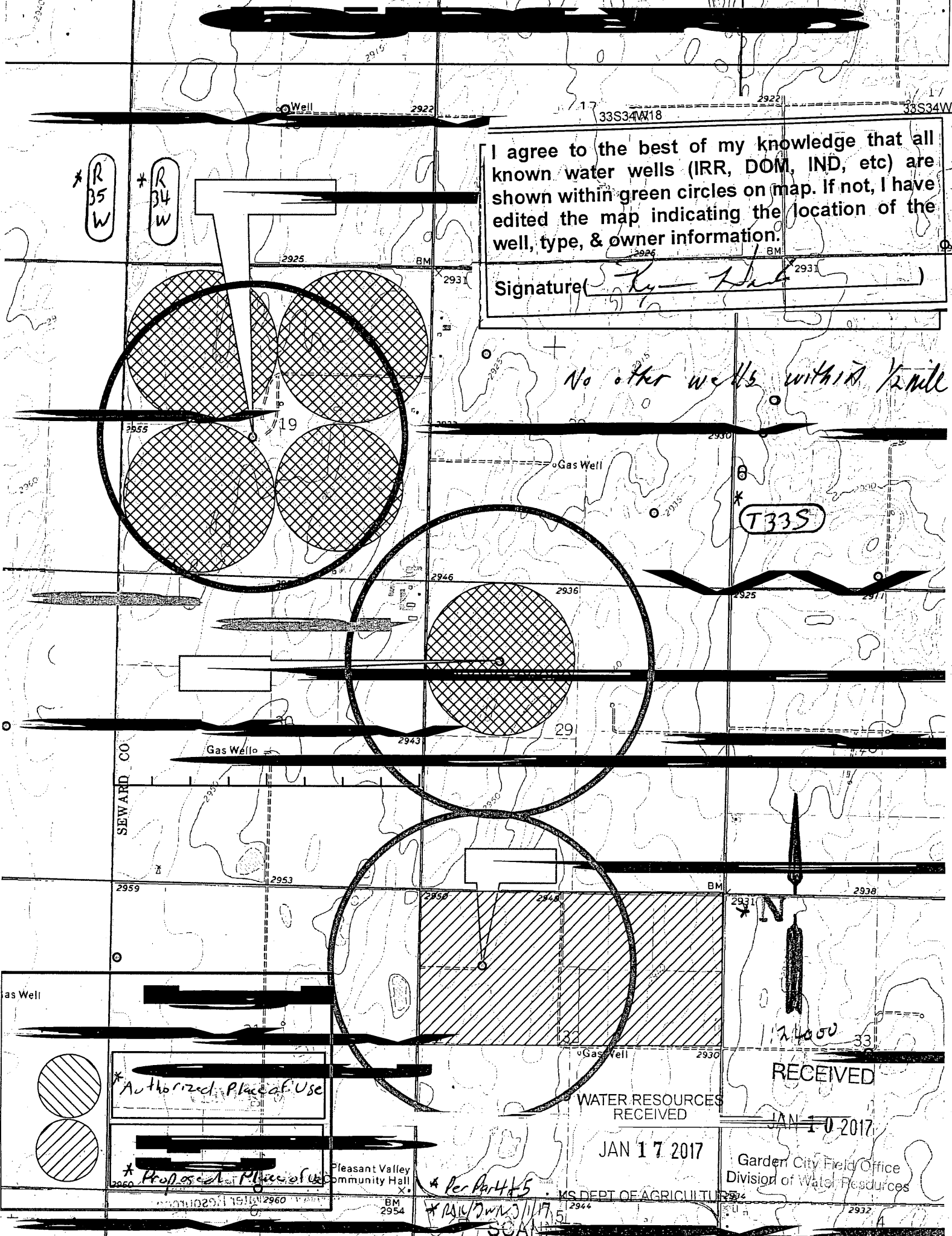
Make check payable to **Kansas Department of Agriculture.**

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* R 35 W

* R 34 W

I agree to the best of my knowledge that all known water wells (IRR, DOM, IND, etc) are shown within green circles on map. If not, I have edited the map indicating the location of the well, type, & owner information.

Signature (*[Handwritten Signature]*)

No other wells within 1/2 mile

T33S

SEWARD CO



as Well

[Redacted]

* Authorized Place of Use

[Redacted]

* Proposed Place of Use

[Redacted]

Pleasant Valley Community Hall

[Redacted]

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Division of Water Resources

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* Per Part 4.5

* R 34 W 31 N 17 S

SCAN

FILE

TRUST AGREEMENT

HELEN GUTTRIDGE TRUST

THIS AGREEMENT made June 3, 1995, between HELEN GUTTRIDGE, (hereinafter called Settlor), and DEBRA HARRIS PETERSON, BETTY MITCHELL, and HELEN GUTTRIDGE, (hereinafter called the Trustees), shall be known as "HELEN GUTTRIDGE TRUST."

1. TRUST PROPERTY. For good and valuable consideration, the Settlor hereby transfers and delivers to the Trustees the property listed in the schedule annexed hereto, to have and to hold the same and any cash, securities, or other property which the Trustees may, pursuant to any of the provisions hereof at any time hereafter hold or acquire (all of such property being hereinafter referred to, collectively, as the "Trust Estate"), for the uses and purposes and upon the terms and conditions herein set forth.
2. DISPOSITIVE PROVISIONS. The Trustees shall hold, manage, invest and reinvest the "Trust Estate" and shall collect the income thereof and shall dispose of the net income and principal as follows:
 - a.) During the lifetime of the Settlor, the Trustees in their sole discretion, may pay to the Settlor, such amounts of the net income and principal as they may determine. If, at any time, the Settlor should become incompetent or for any other reason be unable to act in her own behalf, the Trustees, DEBRA HARRIS PETERSON and BETTY MITCHELL, may in their absolute discretion, pay to or apply for the benefit of the Settlor, in addition to the payments hereinabove provided for her such amounts from the principal of the "Trust Estate", up to the whole thereof, as the Trustees, DEBRA HARRIS PETERSON and BETTY MITCHELL may, from time to time, deem necessary or advisable for the Settlor's use and benefit. In the exercise of this power to distribute to the Settlor the Trustees, DEBRA HARRIS PETERSON and BETTY MITCHELL may exercise this power jointly or severally.
 - b.) Upon the death of the Settlor, the Trustees shall distribute the trust principal and accumulated income as follows:
 - 1) The Trustees shall distribute to PHYLLIS KAY BOLLER five (5) percent of the trust principal and accumulated income. The distribution to PHYLLIS KAY BOLLER shall be divided into 3 shares with one share being distributed each year for 3 years, the first distribution being made on the

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administering different Trusts wholly or in part for the benefit of a particular beneficiary or group of beneficiaries, to adopt different investment patterns and objectives for different Trusts based on their generation-skipping ratios, and to prefer making distributions from non-exempt Trusts to beneficiaries who are non-skip persons for generation-skipping purposes and from exempt Trusts to those who are skip persons.

4. TRUSTEES' POWERS. Without regard to any legal restrictions otherwise applicable to Trustees, the Trustees are authorized and empowered, in their sole discretion, to exercise the following discretionary powers as well as any other powers conferred by law:

a.) To retain, whether originally a part of the "Trust Estate" or subsequently acquired, and to purchase or otherwise acquire and to retain any property, whether or not such property is authorized for investment, by law, or is unsecured, unproductive, or of a wasting nature, all without diversification as to kind and amount. To commingle Trust funds of the various trusts hereunder for the purposes of investment.

b.) To transfer, sell, exchange, partition, lease, mortgage, create a security interest in, pledge, give options upon or otherwise dispose of any property at any time held by them, at public or private sale or otherwise, for cash or other consideration or on credit and upon such terms and conditions, with or without security and for such price as they may determine.

c.) To hold any part of the "Trust Estate" in cash or uninvested for any period deemed advisable.

d.) To extend, modify or waive the terms of any bond and mortgage at any time forming a part of the Trust; to foreclose any such mortgage or take title to the property securing it by deed, in lieu of foreclosure or otherwise; to protect or redeem any such property from forfeiture for non-payment of taxes or other liens; and, generally, to exercise as to such bonds and mortgage or such property, all powers that an absolute owner might exercise.

e.) To exercise any option, right or privilege to convert bonds, notes, corporate shares, or other securities or to subscribe for additional or other bonds, notes, corporate shares or other securities; to make such conversions or subscriptions; to make

15. INCOMPETENCY. A determination that HELEN GUTTRIDGE is incapacitated, whether or not the Settlor has been declared legally incompetent, due to illness or any other cause may be made at any time and from time to time by DEBRA HARRIS PETERSON and BETTY MITCHELL. Any such determination, to be effective, shall be stated in writing, signed by all such persons, and delivered to the Trustees. The persons determined hereinabove, shall have the right at any time and from time to time to make a later determination that, for the purpose of this trust, the Settlor is no longer incapacitated.

The persons making such determination that HELEN GUTTRIDGE is not incapacitated may consult medical doctors and others in making any such determination, but are not required to do so, and any such determination made in good faith shall be binding and conclusive. The Trustees are entitled to rely on any determination made hereunder by the persons listed above and are relieved of any and all liabilities to any person, including the Settlor or the Settlor's estate, resulting from such reliance.

IN WITNESS WHEREOF, the Settlor and the Trustees have executed and sealed this Agreement, this 3rd day of June, 1995.

Heleen Guttridge
HELEN GUTTRIDGE, Settlor

Debra Harris Peterson
DEBRA HARRIS PETERSON, Settlor

Betty Mitchell
BETTY MITCHELL, Trustee

Heleen Guttridge
HELEN GUTTRIDGE, Trustee

STATE OF KANSAS)
) SS:
COUNTY OF SEWARD)

BE IT REMEMBERED that on this 3rd day of June, 1995, before me the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared HELEN GUTTRIDGE to me known to be the same persons who executed the within and foregoing instrument of writing, as said person duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

My Commission Expires:

Tiffany A. Pelton
Notary Public

WATER RESOURCES
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NOTARY PUBLIC, State of Kansas
TIFFANY A. PELTON
My Appt. Exp. 10-8-96

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13
OCT 27 2017

OCT 30 2017
SCANNED

YOXALL, ANTRIM, YOXALL & HASENBANK, LLP
101 West Fourth Street
Liberal, Kansas 67901
(620 624-8444

FILED
CLERK OF DIST. COURT
SEWARD COUNTY

2003 JUL 22 PM 12 18

IN THE DISTRICT COURT OF SEWARD COUNTY, KANSAS

Rhonda Truhlar

IN THE MATTER OF THE ESTATE OF)

HELEN GUTTRIDGE, also known and being the)
same person as HELEN I. GUTTRIDGE,)
DECEASED)

Case No. 03-PR-36

LETTERS TESTAMENTARY

KNOW ALL PERSONS BY THESE PRESENTS:

Debra Harris Peterson, a resident of Seward County, Kansas named as
Executor of the Will of Helen Guttridge, deceased, having been duly appointed and
qualified as Executor, is hereby granted Letters Testamentary in the estate, with full power
and authority as provided by law and the Will.

IN WITNESS WHEREOF, I, the undersigned Judge of the above entitled
Court, have subscribed my name and affixed the seal of this Court on July 22, 2003.

Kim R. Schroeder

Judge Kim R. Schroeder

JRY/ksk

STATE OF KANSAS }
COUNTY OF SEWARD } ss

I certify that this document is a full,
true and correct copy of the original
on file in this office.

Date July 22, 2003

Rhonda Truhlar, CLERK
SEWARD COUNTY DISTRICT COURT

By *Ray Jones* RECEIVED

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OCT 27 2017

Garden City Field Office
Division of Water Resources

OCT 30 2017

KS DEPT OF AGRICULTURE

SCANNED

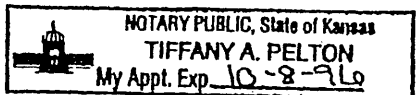
STATE OF KANSAS)
)
COUNTY OF SEWARD) SS:

BE IT REMEMBERED that on this 3rd day of June, 1995, before me the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared DEBRA HARRIS PETERSON to me known to be the same persons who executed the within and foregoing instrument of writing, as said person duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

My Commission Expires:

Tiffany A. Pelton
Notary Public



STATE OF Oklahoma)
)
COUNTY OF Woodward) SS:

BE IT REMEMBERED that on this 5th day of July, 1995, before me the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared BETTY MITCHELL to me known to be the same persons who executed the within and foregoing instrument of writing, as said person duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

My Commission Expires: 8-1-98

Jessie Ruttman
Notary Public

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Garden City Field Office
Division of Water Resources

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KS DEPT OF AGRICULTURE

AMENDMENT NO. 2
to the
HELEN GUTTRIDGE TRUST
Dated May 16, 1996

KNOW ALL MEN BY THESE PRESENTS:

That I, Helen Guttridge, being Settlor and Trustee of the Helen Guttridge Trust and having retained full right of revocation and amendment, do hereby amend the Helen Guttridge Trust, dated June 3, 1995, and the First Amendment to the Helen Guttridge Trust which is dated May 16, 1996, as follows:

1. Notwithstanding any other provisions to the contrary, Helen Guttridge shall be the sole Trustee of the Helen Guttridge Trust so long as I am capable and competent. If, in the event I become incompetent or incapacitated to the extent that I am unable to handle the business affairs of the trust, then I hereby designate and appoint my granddaughter, Debra Harris Peterson, as Successor Trustee, or if she be unable or unwilling to act as such Trustee, then my sister, Betty Mitchell, or should both my granddaughter and my sister be unable or refuse to act as Trustee, I hereby appoint my granddaughter, Phyllis Kay Boller, as Successor Trustee.

My incompetency or incapacity to act as Trustee must be determined by my granddaughter, Debra Harris Peterson, my sister, Betty Mitchell, my family physician and at least one other physician who must agree that I am incapable of handling the affairs of the trust due to my incompetency or incapacity.

2. I hereby amend paragraph 2(b) of my trust and the First Amendment to read as follows, to-wit:

"2b.) Upon the death of the Settlor, the Trustee shall distribute the trust principal and accumulated income in the following manner:

(1) The Trustee shall distribute to Phyllis Kay Boller five percent (5%) of the value at the time of my death of the liquid assets of the trust. The liquid assets shall be and are hereby declared to be investments, whether income producing or not, other than land and oil, gas and other minerals.

(2) All of the rest and residue of the trust principal shall be held for five (5) years, with the income being distributed no less often than annually to Debra Joan Harris Peterson. At the end of five (5) years, if Debra Joan Harris Peterson is alive, the Trustee shall distribute one-half (1/2) of the trust assets to Debra Joan Harris Peterson and one-half (1/2) shall remain in trust until the death of the said Debra Joan Harris Peterson.

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Garden City Field Office
Division of Water Resources

the lifetime of Debra Joan Harris Peterson the income from the one-half (1/2) of the residue remaining in trust shall be distributed no less often than quarterly to Debra Joan Harris Peterson, and upon her death said trust shall terminate and shall be distributed to my great-granddaughters, Nicole Harris, Michelle Harris, and Kirsten Harris, equally share and share alike, PROVIDED HOWEVER, that in the event of the death of Debra Joan Harris Peterson before Kirsten Harris has or would have attained the age of thirty (30) years, then and in that event, said trust shall continue until such time as Kirsten Harris has or would have attained the age of thirty (30) years, at which time it shall be distributed."

I hereby amend paragraph 2(c) to the extent that paragraph 2(c) of the Helen Guttridge Trust does not comply with the distribution under 2(b) above.

3. I hereby revoke paragraph 13 in its entirety, and 13 shall now read as follows, to-wit:

"13. APPOINTMENT OF TRUSTEES. Any Trustee designated or appointed hereunder may resign at any time by filing her written resignation with the next Successor Trustee, and upon such filing, the Successor Trustee shall become the sole Trustee. In the event all of the Successor Trustees named above are unable or unwilling to act as Trustee, then Settlor does hereby appoint such of the great-granddaughters, Nicole Harris, Michelle Harris and Kirsten Harris, as have attained the age of twenty-one (21) years, to act as Co-Trustees."

In all respects except as specifically set forth herein, the Helen Guttridge Trust, dated June 3, 1995, is hereby ratified, adopted and confirmed.

IN WITNESS WHEREOF, Helen Guttridge, as Settlor, has hereunto set her hand and seal, and Helen Guttridge, in token of her acceptance of the trust hereby amended, have caused her hand and seal to be hereto affixed, all on this 10th day of July, 2000.

Helen Guttridge
Helen Guttridge, Settlor

Helen Guttridge
Helen Guttridge, Trustee

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Division of Water Resources

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OCT 30 2017

STATE OF KANSAS, COUNTY OF SEWARD, SS:

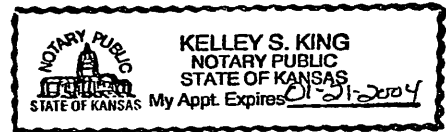
Before me, the undersigned, a Notary Public, within and for said county and state, on this 10th day of July, 2000, personally appeared Helen Guttridge, personally known to me to be the identical person who executed the within and foregoing instrument and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

Kelley King
Notary Public

My Commission Expires: 01-21-2004

SEAL



STATE OF KANSAS, COUNTY OF SEWARD, SS:

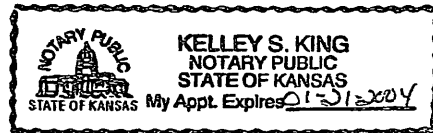
On this 10th day of July, 2000, before me, the undersigned, a Notary Public in and for the county and state aforesaid, personally appeared Helen Guttridge to me personally known to be the identical person who signed the within and foregoing instrument as Trustee, and acknowledged to me that she executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

Kelley King
Notary Public

My Commission Expires: 01-21-2004

SEAL



JRY/ksk

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Garden City Field Office
Division of Water Resources

WATER RESOURCES
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OCT 30 2017

SCANNED

Krueger, Richelle

From: Meyer, Mike
Sent: Monday, November 27, 2017 4:39 PM
To: Krueger, Richelle
Subject: RE: Request for Recommendation Hamlin Farms etal New App File No. 49759 Chg in PU File Nos. 10736,19102,43728

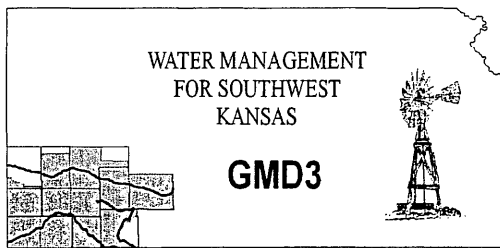
Approve
thanks

Mike

From: Krueger, Richelle
Sent: Tuesday, November 21, 2017 10:22 AM
To: Meyer, Mike <Mike.Meyer@ks.gov>
Cc: Makens, Thom <Thom.Makens@ks.gov>
Subject: Request for Recommendation Hamlin Farms etal New App File No. 49759 Chg in PU File Nos. 10736,19102,43728

Hi Mike,
Attached is a draft memo for the referenced rate only new application and change in pu applications, do you recommend approval of these applications?

Thanks,
Richelle



Southwest Kansas
Groundwater Management District No. 3
2009 E. Spruce Street
Garden City, Kansas 67846
(620) 275-7147 phone (620) 275-1431 fax
www.gmd3.org

November 17, 2017

Richelle A. Krueger
Kansas Department of Ag
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

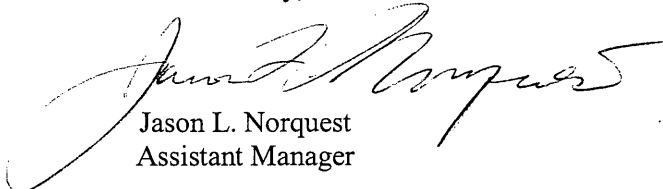
RE: Change Applications
Water Right, File Nos. 10736, 19102, & 43728
New Appropriation, File No. 49759

Dear Richelle:

We have completed a review of the applications for the above referenced water rights. The proposals for change in place of use, which will create a complete overlap, is not conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3) and is in accordance with K.A.R. 5-5-11. The application for new appropriation, File No. 49759, is for additional rate only and is not asking for new authority, which is in accordance with KAR 5-4-5. It is therefore recommended that applications be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,



Jason L. Norquest
Assistant Manager

SCANNED

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NOV 20 2017

Serving Southwest Kansas Since 1976

KS DEPT OF AGRICULTURE

Krueger, Richelle

From: Jason Norquest <norquest@gmd3.org>
Sent: Friday, November 17, 2017 1:01 PM
To: Krueger, Richelle
Subject: 10736+
Attachments: 10736+_ReviewMat_PU_111717.pdf

Good afternoon Richelle. Not sure if you are there today, but thought I would send in the review material for you and then put the signed letter in mail today.

Have a good weekend.

Jason Norquest

Assistant Manager, GMD3

Office: 620-275-7147 Cell: 620-271-1289

norquest@gmd3.org

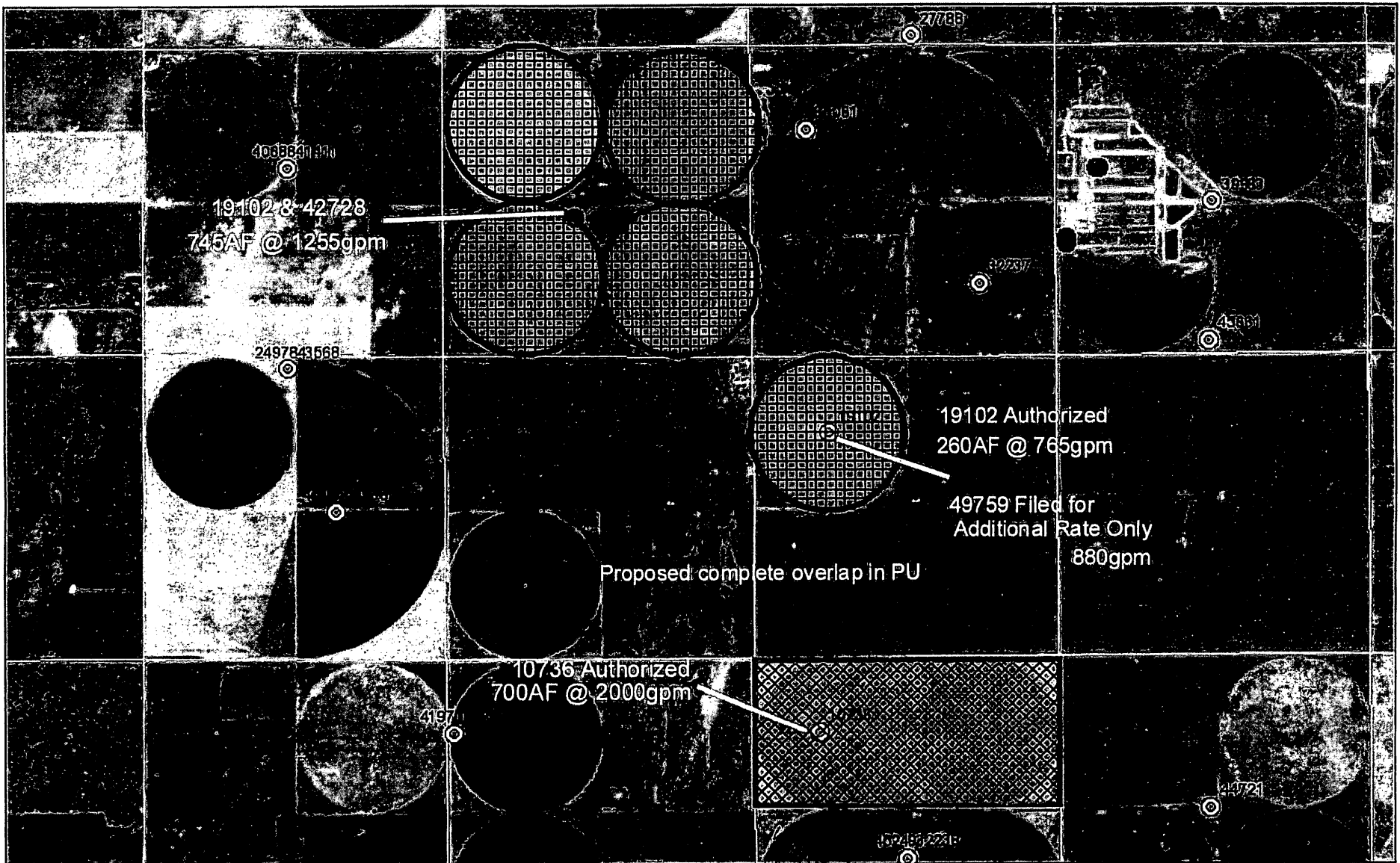
www.gmd3.org

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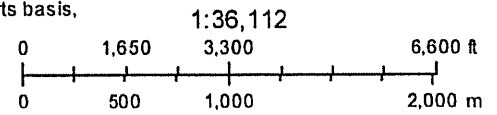
KS DEPT OF AGRICULTURE

10736, 19102, 43728 & 49759 Apps



November 17, 2017 10:03 AM **DISCLAIMER:** This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

- Meters
- Wells
- WIMAS WELLS GMD3
- Sections



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GMD3 Change Review

File No(s): 10736, 19102, 43728 & 49759.

DWR office: GC

App filed to change: Overlap PU & additional rate for 49759

Is Landowner(s) correct in WRIS: Documentation seems to support.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? Appears correct.

If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-5-11 & KAR 5-4-5

Point of diversion ID No(s) being changed.

	ft. North	ft. West			
Authorized PD					
Proposed PD					
Difference	0	0			
a2 + b2 = c2	0	0	0		

GPS for proposed PD: Lat: Long:

Is proposed PD stacking on existing WRs? 49759 stacked on

Is Proposed PU overlapping existing WRs? 100% overlap on all files

Land Owner(s) notified:

Name Name

Address Address

Zip Zip

Neighboring certified well(s) notified:

Name Name

Address Address

Zip Zip

Domestic well(s) notified:

Name Name

Address Address

Zip Zip

Base Acres:

Perfected Acres:

Irr. Return-Flow %

49759 is new appropriation for additional rate only on well in Sect. 29 under WR 19102.

Increases the rate to 880gpm.

The PU changes will make a complete overlap, which is within the current rules.

Is a waiver needed: NO

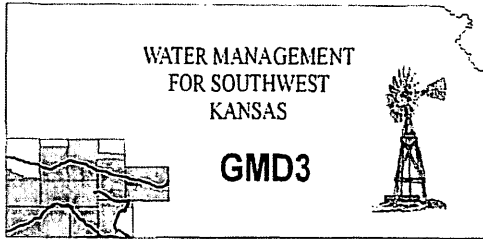
Final Recommendation: After review of all available information, it appears the applications comply with the current area rules. Staff therefore recommends approval of the applications.

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KS DEPT OF AGRICULTURE





Southwest Kansas
Groundwater Management District No. 3
2009 E. Spruce Street
Garden City, Kansas 67846
(620) 275-7147 phone (620) 275-1431 fax
www.gmd3.org

November 17, 2017

Richelle A. Krueger
Kansas Department of Ag
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

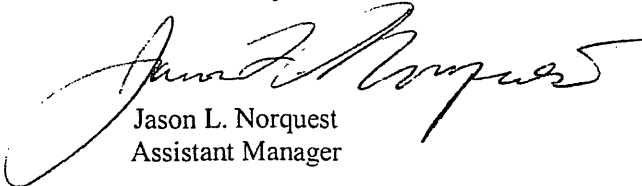
RE: Change Applications
Water Right, File Nos. 10736, 19102, & 43728
New Appropriation, File No. 49759

Dear Richelle:

We have completed a review of the applications for the above referenced water rights. The proposals for change in place of use, which will create a complete overlap, is not conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3) and is in accordance with K.A.R. 5-5-11. The application for new appropriation, File No. 49759, is for additional rate only and is not asking for new authority, which is in accordance with KAR 5-4-5. It is therefore recommended that applications be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,



Jason L. Norquest
Assistant Manager

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>
> 1229 RD 26
> HUGOTON KS 67951

>-----

A__ 41411 00 IRR NK G
> THOMAS F & ALVENA HARPER

>
> 1229 RD 26
> HUGOTON KS 67951

>-----

A__ 43728 00 IRR NK G
> HAMLIN FARMS PARTNERSHIP

>
> 1503 RD 26
> HUGOTON KS 67951

>-----

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NOV 17 2017
KS DEPT OF AGRICULTURE

>
> 1503 RD 26
> HUGOTON KS 67951

>-----
=====

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AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 19102 00 IRR

Water Right and Points of Diversion Within 1.00 miles of point defined as:

2450 Feet North and 2975 Feet West of the Southeast Corner of Section 19 T 33S R 34W

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A_ 19102 00	IRR	NK	G*	0	--	NE	NE	SW	2450	2975	19	33	34W	2		618.00	618.00	AF
A_ 35061 00	IRR	NK	G	4193	--	NE	SW	NW	3950	4350	20	33	34W	5		540.00	540.00	AF
A_ 40688 00	IRR	NK	G	5122	--	NE	SE	NW	3315	2690	24	33	35W	3		250.00	250.00	AF
A_ 41411 00	IRR	NK	G	5122	--	NE	SE	NW	3315	2690	24	33	35W	3		246.00	246.00	AF
A_ 43728 00	IRR	NK	G*	0	--	NE	NE	SW	2450	2975	19	33	34W	2		745.00	127.00	AF

=====

Total Net Quantities Authorized:		Direct	Storage
Total Requested Amount (AF) =		.00	.00
Total Permitted Amount (AF) =		.00	.00
Total Inspected Amount (AF) =		.00	.00
Total Pro_Cert Amount (AF) =		.00	.00
Total Certified Amount (AF) =	1781.00		.00
Total Vested Amount (AF) =	.00		.00
TOTAL AMOUNT (AF) =	1781.00		.00

An * after the source of supply indicates a pending application for change under the file number.
An * after the ID indicates a 15 AF exemption was granted under 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 1.00 miles of point defined as:

2450 Feet North and 2975 Feet West of the Southeast Corner of Section 19 T 33S R 34W

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

=====

File Number Use ST SR
A_ 19102 00 IRR NK G
> HAMLIN FARMS PARTNERSHIP
>
> 1503 RD 26
> HUGOTON KS 67951

>-----
A_ 35061 00 IRR NK G
> C S SHUCK LLC
>
> 673 ROAD 12
> HUGOTON KS 67951

>-----
A_ 40688 00 IRR NK G
> THOMAS F & ALVENA HARPER

WATER RESOURCES
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NOV 17 2017
KS DEPT OF AGRICULTURE

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 19102 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 19102 00 IRR

Water Right and Points of Diversion Within 1.00 miles of point defined as:

3900 Feet North and 4000 Feet West of the Southeast Corner of Section 29 T 33S R 34W

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 10736 00	IRR	NK	G*	5214	--	NE	SW	NW	3950	4202	32	33	34W	5		700.00	700.00	AF
A__ 19102 00	IRR	NK	G*	0	--	NC	NW		3900	4000	29	33	34W	2		260.00	260.00	AF
A__ 32237 00	IRR	NK	G	4570	--	SW	SW	NE	2911	2301	20	33	34W	6		260.00	260.00	AF
A__ 49759 00	IRR	AY	G	0	--	NC	NW		3900	4000	29	33	34W	2		260.00	.00	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	1220.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	1220.00	.00

An * after the source of supply indicates a pending application for change under the file number.

An * after the ID indicates a 15 AF exemption was granted under 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 1.00 miles of point defined as:

3900 Feet North and 4000 Feet West of the Southeast Corner of Section 29 T 33S R 34W

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

=====

File Number Use ST SR

A__ 10736 00 IRR NK G
 > HAMLIN FARMS PARTNERSHIP
 >
 > 1503 RD 26
 > HUGOTON KS 67951

A__ 19102 00 IRR NK G
 > HAMLIN FARMS PARTNERSHIP
 >
 > 1503 RD 26
 > HUGOTON KS 67951

A__ 32237 00 IRR NK G
 > C S SHUCK LLC
 >
 > 673 ROAD 12
 > HUGOTON KS 67951

A__ 49759 00 IRR AY G
 > HAMLIN FARMS PARTNERSHIP

WATER RESOURCES
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 NOV 17 2017
 KS DEPT OF AGRICULTURE

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

November 1, 2017

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO 3
ATTN JASON NORQUEST
2009 E SPRUCE ST
GARDEN CITY KS 67846

FILE COPY

Re: Water Right, File Nos. 10,736; 19,102 and 43,728
Application, File No. 49,759

Dear Jason:

We are enclosing copies of the applications to change the place of use for File Nos. 10,736; 19,102 and 43,728 and for Application, File No. 49,759.

We are delaying further action for a period of 15 days from the date of this letter to allow you time to submit your recommendations concerning this application.

Please submit your recommendations within the allowed time, or any authorized extension of time thereof. If you have any questions, please contact me at (785) 564-6635. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

Enclosures

pc: Garden City Field Office

SCANNED



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

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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 28, 2017

HAMLIN FARMS PARTNERSHIP
1503 RD 26
HUGOTON KS 67951

LL COPY

RE: Water Right, File Nos. 10,736; 19,102 and 43,728
Application, File No. 49,759

Dear Mr. and Mrs. Hamlin,

In response to the request made on your behalf received in this office on September 27, 2017, the Chief Engineer has extended until **October 30, 2017**, the time in which to submit original notarized signatures as outlined in the letter to you dated March 6, 2017. We cannot further process the applications until we receive the original notarized signatures of the following owners:

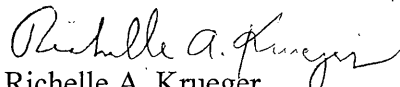
File No. 10,736: 320 acres in North Half (N½) of 32-33S-34W Seward Co. – Helen Guttridge Trust c/o Dennis Hamlin and Affidavit of Equitable Interest filed by Dennis Hamlin Trust (10-15-10); need signature of the trustee of the Helen Guttridge Trust.

File Nos. 19,102 and 43,728: 544 acres in 19-33S-34W Seward Co. – Debbie Harris c/o Dennis D. and Kathy Hamlin Trust and Affidavit of Equitable Interest filed by Ryan Hamlin (12-11-12); need signatures of Debbie Harris and spouse, and Ryan Hamlin and spouse.

Please return the forms sent to you on March 6th, 2017 with the original notarized signatures of all owners and spouses by **October 30, 2017** so that I may continue with processing your applications.

If you have any questions, please contact me at (785) 564-6635. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,


Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

Enclosures

pc: Garden City Field Office
Groundwater Management District No. 3

SCANNED



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

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

Jackie McClaskey, Secretary

Governor Sam Brownback

March 8, 2017

THURMAN AND KRISTINA BROWN
11830 ROAD B
LIBERAL KS 67901-5628

Re: Water Right, File Nos. 10,736 and 19,102
Application, File No. 49,759

Dear Mr. and Mrs. Brown:

This is to advise you that Hamlin Farms Partnership filed one (1) application for permit to appropriate water for beneficial use, identified as File No. 49,759 for a permit to appropriate 260 acre-feet of ground water per calendar year for irrigation use to be diverted at a diversion rate of 880 gallons per minute, from one (1) existing well located as follows:

one(1) well located near the center of the Northwest Quarter of Section 29, more particularly described as being near a point 3,900 feet North and 4,000 feet West of the Southeast corner of said section, in Township 33 South, Range 34 West, Seward County, Kansas.

Please note the new application is not requesting additional quantity from the well but is requesting additional rate.

Hamlin Farms Partnership also filed (2) applications to change the place of use for File Nos. 10,736 and 19,102. The change applications will create a complete overlap in the place of use with File No. 49,759.

A map indicating the well location is on the reverse of this letter for your information. Records in this office indicate that you may have a well or wells in this vicinity and you are being 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 about the referenced application, please contact me at 1-785-564-6635.

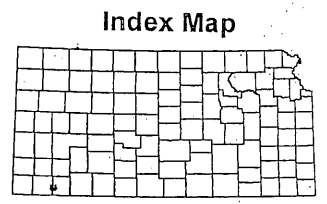
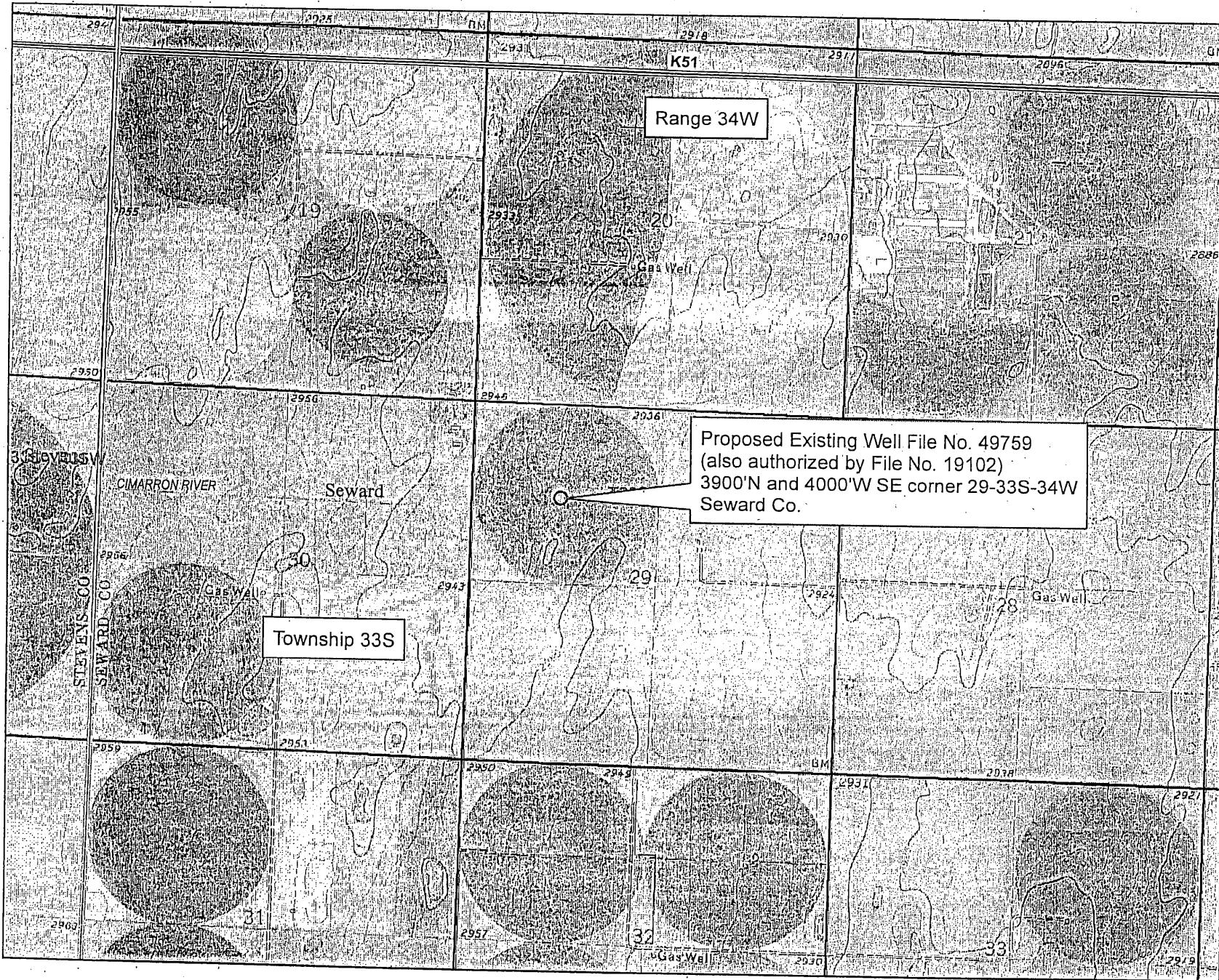
Sincerely,

Richelle A. Krueger
Environmental Scientist

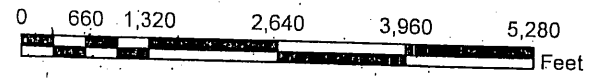
pc: Garden City Office
Groundwater Management District No.3
Hamlin Farms Partnership

SCANNED

Application File No. 49759



1:24,000



This map was created by WIMAS on 3/8/2017 8:45:45 AM

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

March 6, 2017

HAMLIN FARMS PARTNERSHIP
1503 RD 26
HUGOTON KS 67951

RE: Water Right, File Nos. 10,736; 19,102 and 43,728

Dear Mr. and Mrs. Hamlin,

Reference is made to the applications for approval of the Chief Engineer to change the place of use which were received in the office of the Chief Engineer on January 17, 2017. Upon review of the applications, we find that additional information is needed.

K.A.R. 5-5-5 *Signatures required on change applications* requires in part that if the extent of each owner's interest in the water right has not been legally determined, then all landowners holding an undetermined portion of the water right must sign the change application. Therefore we will need the notarized signatures of all landowners and spouses of the authorized place of use. Information in this office indicates that the following are owners of the authorized places of use:

File No. 10,736: 320 acres in North Half (N½) of 32-33S-34W Seward Co. – Helen Guttridge Trust c/o Dennis Hamlin and Affidavit of Equitable Interest filed by Dennis Hamlin Trust (10-15-10); need signature of the trustee of the Helen Guttridge Trust.

File Nos. 19,102 and 43,728: 544 acres in 19-33S-34W Seward Co. – Debbie Harris c/o Dennis D. and Kathy Hamlin Trust and Affidavit of Equitable Interest filed by Ryan Hamlin (12-11-12); need signatures of Debbie Harris and spouse, and Ryan Hamlin and spouse.

136 acres in Northwest Quarter (NW¼) of 29-33-34W Seward Co. – Dennis Hamlin Trust (½ int) and Kathy Hamlin Trust (½ int); we have these signatures.

I am enclosing copies of the referenced change applications and additional signature forms so that you may obtain the original notarized signatures of all of the owners and spouses, if applicable. If this ownership information is not correct, please submit copies of the recorded deeds to clearly indicate the owners so that our records may be updated.


Please return the forms with the original notarized signatures of all owners and spouses at your earliest convenience so that I may continue with processing your applications.

Our staff at the Garden City Field office can provide assistance, if needed. If you would like assistance, please call (620) 276 -2901 to set an appointment time. We appreciate you making an appointment, as it will save you time and allows us to better serve you. If you do go to the field office for assistance, please take this letter and any attachments.

OVER →

If you have any questions, please contact me at (785) 564-6635 or Change Application Unit Supervisor, Brent Turney, 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,



Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK
Enclosures

pc: Garden City Field Office
Groundwater Management District No. 3
Debbie Harris

Krueger, Richelle

From: Meyer, Mike
Sent: Friday, March 3, 2017 4:01 PM
To: Krueger, Richelle
Subject: RE: Application File No. 49759, Changes in PU File Nos. 10736,19102 and 43728 Dennis Hamlin etal

we are okay with the additional rate. Old well redrilled within a few feet, need additional rate for updated sprinkler system

they will work on the signatures. They thought they could use scanned images.

Send the letter, but in the meantime they hope to get the originals if they are still around

We will conduct a compliance investigation for 19102 in section 29, for some reason we never did do that

Mike

From: Krueger, Richelle
Sent: Wednesday, March 1, 2017 4:35 PM
To: Meyer, Mike <Mike.Meyer@ks.gov>
Cc: Makens, Thom <Thom.Makens@ks.gov>; Turney, Brent <Brent.Turney@ks.gov>
Subject: Application File No. 49759, Changes in PU File Nos. 10736,19102 and 43728 Dennis Hamlin etal

Hi Mike,

I am reviewing the referenced new app and changes, which are proposing a new app for additional rate only from a well authorized by File No. 19102, and a complete overlap in pu among all the files. Looks like I am going to have to return the applications for additional signatures (they sent in copies of signatures plus looks like they need Debra Harris/Peterson spouse signatures).

I wanted to touch base with you first, are you okay with this new app in gmd 3 for additional rate only, do you think that there has been a significant physical enlargement of the well or do you think it was completed the same as the original diversion works were constructed?

The well was approved for a redrill on December 7, 2012. They sent in a notice of completion but not sure about inspection.

Thanks,
Richelle

Krueger, Richelle

From: Karen Warden <kwarden@sewardcountyks.org>
Sent: Wednesday, March 1, 2017 9:38 AM
To: Krueger, Richelle
Subject: RE: Ownership Question

Richelle,

I determined ownership by the tax records:

19-33-34: Debbie Harris c/o Dennis D. & Kathy Hamlin Trust
** Affidavit of Equitable Interest filed by Ryan Hamlin (12-11-12)

NW/4 29-33-34: Dennis Hamlin Trust (1/2 Int) & Kathy Hamlin Trust (1/2 Int)

N/2 32-33-34: Helen Guttridge Trust c/o Dennis Hamlin
**Affidavit of Equitable Interest filed by Dennis Hamlin Trust (10-15-10)

For what it's worth Debbie Harris is Helen Guttridge's granddaughter.

Hope this helps, if not let me know.

Karen Warden
Seward County
Register of Deeds

From: Krueger, Richelle [mailto:Richelle.Krueger@ks.gov]
Sent: Tuesday, February 28, 2017 5:24 PM
To: kwarden@sewardcountyks.org
Subject: Ownership Question

Good Afternoon,

I need to verify ownership of land in Seward Co. in order to update our water rights database. The land in question is :

- All of Section 19, Township 33 South, Range 34 West;
- The Northwest Quarter (NW¼) of Section 29, Township 33 South, Range 34 West;
- The North Half (N½) of Section 32, Township 33 South, Range 34 West;

What do your most recent records indicate?

Thanks so much for your help!

Richelle Krueger, Environmental Scientist



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

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

Jackie McClaskey, Secretary

Governor Sam Brownback

January 18, 2017

HAMLIN FARMS PARTNERSHIP
1503 RD 26
HUGOTON, KS

FILE COPY

RE: File No. 43728

Dear Sir or Madam:

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

- place of use PU
- point of diversion
- use made of water

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

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

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

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

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

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

Sincerely,

Brent A Turney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: GARDEN CITY Field Office GMD 3