

# NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

THE STATE OF KANSAS



**KANSAS DEPARTMENT OF AGRICULTURE**  
Jackie McClaskey, Secretary of Agriculture

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

File Number ~~090758~~ 49759  
This item to be completed by the Division of Water Resources.

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JAN 17 2017  
11:14  
KS DEPT OF AGRICULTURE

**APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE**

Filing Fee Must Accompany the Application  
(Please refer to Fee Schedule attached to this application form.)

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,  
1320 Research Park Drive, Manhattan, Kansas 66502:

1. Name of Applicant (Please Print): Hamlin Farms Partnership  
Address: 1503 Rd 26  
City: Hugoton State KS Zip Code 67951  
Telephone Number: (620) 598-2610

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in Cimarron River Basin (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 260 acre-feet OR -- gallons per calendar year, to be diverted at a maximum rate of 880 gallons per minute OR -- cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for (Check use intended):

(a) <input type="checkbox"/> Artificial Recharge	(b) <input checked="" type="checkbox"/> Irrigation	(c) <input type="checkbox"/> Recreational	(d) <input type="checkbox"/> Water Power
(e) <input type="checkbox"/> Industrial	(f) <input type="checkbox"/> Municipal	(g) <input type="checkbox"/> Stockwatering	(h) <input type="checkbox"/> Sediment Control
(i) <input type="checkbox"/> Domestic	(j) <input type="checkbox"/> Dewatering	(k) <input type="checkbox"/> Hydraulic Dredging	(l) <input type="checkbox"/> Fire Protection
(m) <input type="checkbox"/> Thermal Exchange	(n) <input type="checkbox"/> Contamination Remediation		

YOU **MUST** COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

<b>For Office Use Only:</b>							
F.O. <u>4</u>	GMD <u>3</u>	Meets K.A.R. 5-3-1 (YES/NO) <u>(YES)</u>	Use <u>IRR</u>	Source <u>(G) S</u>	County <u>SW</u>	By <u>AW</u>	Date <u>1/17/17</u>
Code <u>RED</u>	Fee \$ <u>300</u>	TR # _____	Receipt Date <u>1/17/17</u>	Check # <u>1242</u>			

1/19/2017 UM

5. The location of the proposed wells, pump sites or other works for diversion of water is:

**Note:** For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

- (A) One in the \_\_\_ quarter of the NC quarter of the NW quarter of Section 29, more particularly described as being near a point 3900 feet North and 4000 feet West of the Southeast corner of said section, in Township 33 South, Range 34 West, Seward County, Kansas.
- (B) One in the \_\_\_ quarter of the \_\_\_ quarter of the \_\_\_ quarter of Section \_\_\_, more particularly described as being near a point \_\_\_ feet North and \_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_ South, Range \_\_\_ East/West (circle one), \_\_\_ County, Kansas.
- (C) One in the \_\_\_ quarter of the \_\_\_ quarter of the \_\_\_ quarter of Section \_\_\_, more particularly described as being near a point \_\_\_ feet North and \_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_ South, Range \_\_\_ East/West (circle one), \_\_\_ County, Kansas.
- (D) One in the \_\_\_ quarter of the \_\_\_ quarter of the \_\_\_ quarter of Section \_\_\_, more particularly described as being near a point \_\_\_ feet North and \_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_ South, Range \_\_\_ East/West (circle one), \_\_\_ County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

6. The owner of the point of diversion, if other than the applicant is (please print):

Same as applicant  
(name, address and telephone number)  
\_\_\_\_\_  
(name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on 1-10, 2017. [Signature]  
Applicant's Signature

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

7. The proposed project for diversion of water will consist of 1 well (number of wells, pumps or dams, etc.) and (was)(will be) completed (by) 2017 (Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be RECEIVED (Mo/Day/Year)

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

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

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

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

- If yes, show the Water Structures permit number here \_\_\_\_\_
- If no, explain here why a Water Structures permit is not required \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

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

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

Place of diversion and place of use for water right 19102 (ID# 2), 10736, 43728  
application is requesting additional rate only. (15% increase).

\_\_\_\_\_  
\_\_\_\_\_

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13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from:  Test holes  Well as completed  Drillers log attached

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	See File			
Total depth of well	See File			
Depth to water bearing formation	See File			
Depth to static water level	See File			
Depth to bottom of pump intake pipe	See File			

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

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):  
DENNIS D & KATHY A HAMLIN TRUSTS, 1503 ROAD 26, HUGOTON KS 67951-5152  
(name, address and telephone number)  
DEBRA HARRIS, 18070 ROAD B, LIBERAL KS 67901-5388  
(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.  
Dated at 1-10, Kansas, this 10 day of Jan, 2017.  
(month) (year)

[Signature]  
(Applicant Signature)

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

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

Assisted by AZ GCFO Date: 10-31-2016  
(office/title)

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~~49759~~

### FEE SCHEDULE

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

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

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

ACRE-FEET	FEE
0-250	\$200.00
More than 250	\$200.00 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

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

### MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

#### ATTENTION

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

#### CONVERSION FACTORS

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

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33S35W13

Well  
33S34W18

2922

17

33S34W17

2900

33S34W16

Gas We

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]* )

33S35W24

33S34W19

0.25

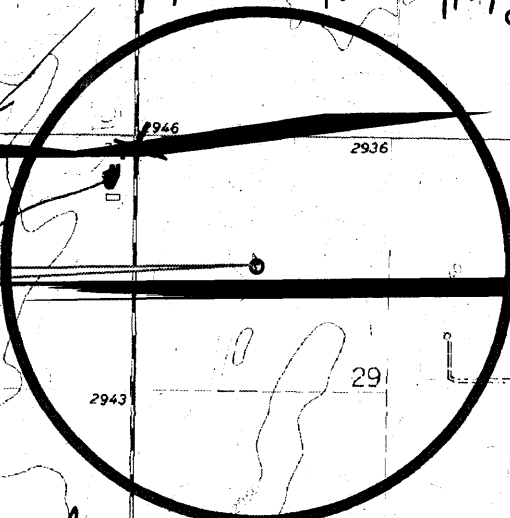
0.5

Miles

33S34W20

33S34W21

Domestic  
Ayan Hamlin  
1503  
Ad 26  
Hugoton



Proposed well

33S34W30  
Gas Well

Domestic  
Thurman Brown

33S34W29

33S34W28

Gas Well

SEWARD CO

33S35W25

Gas Well

33S35W36

33S34W31

33S34W32

33S34W33

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Pleasant Valley  
Community Hall

34S35W01

34S34W06

34S34W05

34S34W04

# Change in Place of Use: WR 19102

49759

33S35W13

Well  
33S34W18

33S34W17

Gas Well  
33S34W16

WR 19102/43728

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 ( *see other map* )

33S35W24

33S34W19

33S34W20

33S34W26

WR 19102

*DOMESTIC*

1 Miles

33S35W25

33S34W30

33S34W26

33S34W28

SEWARD CO

*Thurman Brown*

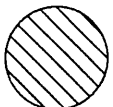
WR 10736

as Well

## Legend

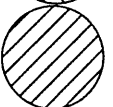
33S35W36

33S34W31



Current Place of Use

*existing WR*



Proposed Place of Use

*for Permit*

Pleasant Valley Community Hall

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33S34W52

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34S35W01

34S34W06

34S34W05

34S34W04



49759

## IRRIGATION USE SUPPLEMENTAL SHEET

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

Name of Applicant (Please Print): Hamlin Farms Partnership

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

**Landowner of Record** NAME: DENNIS D & KATHY A HAMLIN TRUSTS

ADDRESS: 1503 ROAD 26, HUGOTON KS 67951-5152

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
29	33S	34W					34	34	34	34									136
32	33S	34W	40	40	40	40	40	40	40	40									320

**Landowner of Record** NAME: DEBRA HARRIS

ADDRESS: 18070 ROAD B, LIBERAL KS 67901-5388

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19	33S	34W	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	544

**Landowner of Record** NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

49759

2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): \_\_\_\_\_%

Estimate the maximum land slope in the field(s): \_\_\_\_\_%

c. Type of irrigation system you propose to use (check one):

- Center pivot                       Center pivot - LEPA                       "Big gun" sprinkler
- Gravity system (furrows)                       Gravity system (borders)                       Sideroll sprinkler

Other, please describe: \_\_\_\_\_

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

- (1) Estimate the operating pressure at the distribution system: \_\_\_\_\_ psi
- (2) What is the sprinkler package design rate? \_\_\_\_\_ gpm
- (3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? \_\_\_\_\_ feet
- (4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

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

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JAN 10 2017

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 19, 2017

HAMLIN FARMS PARTNERSHIP  
1503 RD 26  
HUGOTON, KS 67951

**FILE COPY**

Re: Application,  
File No. **49759**

Dear Sir or Madam:

The purpose of this letter is to correct the file number assigned to your Application for Permit to Appropriate Water. In a letter from our office dated, January 18, 2017, your application was erroneously assigned File No. 49758. The correct File No. is 49759.

For all future reference to your Application for Permit to Appropriate Water located in 29-33S-34W in Seward County, please use File No. 49759.

If you have any questions, please contact me at 785-564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Whitesell".

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

AJW: dlw

pc: GARDEN CITY Field Office  
GMD 3



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

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

January 18, 2017

HAMLIN FARMS PARTNERSHIP  
1503 RD 26  
HUGOTON KS 67951

**FILE COPY**

RE: Application  
File No. 49758

Dear Sir or Madam:

Your application for permit to appropriate water in 29-33S-34W in Seward County, was received and has been assigned the file number noted above.

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

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

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

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

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

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

Sincerely,

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

BAT: dlw  
pc: GARDEN CITY Field Office  
GMD 3