

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

1. File Number: <p style="text-align: center;"><b>49350</b></p>	2. Status Change Date: <p style="text-align: center;"><i>10/24/2016</i></p>	3. Field Office: <p style="text-align: center;"><b>03</b></p>	4. GMD: <p style="text-align: center;"><b>0</b></p>
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
<p>7a. Applicant(s) New to system <input checked="" type="checkbox"/>                      Person ID <u>6598</u> Add Seq# <u>1</u></p> <p><b>SEAN LAMBERT</b> 2249 N 280TH ROAD CLYDE KS 66938</p>	<p>7c. Landowner(s) New to system <input type="checkbox"/>                      Person ID _____ Add Seq# _____</p>		
<p>7b. Landowner(s) New to system <input type="checkbox"/>                      Person ID <u>41281</u> Add Seq# <u>1</u></p> <p><b>HARDIN FARM PARTNERSHIP RLLP</b> <b>MURIEL A HARDIN</b> <b>3564 HAYWOOD CT</b> <b>PICKERINGTON OHIO 43147</b> <b>name &amp; address update</b></p>	<p>7d. Misc. New to system <input type="checkbox"/>                      Person ID _____ Add Seq# _____</p>		
<p>8. WUR Correspondent New to system <input type="checkbox"/>                      Person ID <u>41281</u> Overlap File (s) WUC                      Add Seq# <u>1</u> X                      Notarized WUC Form Agree X Yes <input type="checkbox"/> No</p> <p><b>HARDIN FARM PARTNERSHIP RLLP</b> <b>MURIEL A HARDIN</b> <b>3564 HAYWOOD CT</b> <b>PICKERINGTON OHIO 43147</b> <b>name &amp; address update</b></p>	<p>9. Use of Water:    Changing?    <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No</p> <p style="padding-left: 40px;"><input type="checkbox"/> Groundwater                      <input checked="" type="checkbox"/> Surface Water</p> <p><input checked="" type="checkbox"/> IRR                      <input type="checkbox"/> REC                      <input type="checkbox"/> DEW                      <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK                      <input type="checkbox"/> SED                      <input type="checkbox"/> DOM                      <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG    <input type="checkbox"/> WTR PWR                      <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____    <input type="checkbox"/> OTHER: _____</p>		
10. Completion Date: <u>12/31/2017</u> 11. Perfection Date: <u>12/31/2021</u> 12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
<p>Date Prepared: <b>9/29/2016</b> By: <b>LI</b> Date Entered: <i>10/24/2016</i> By: <i>LLM</i></p>			

File No. <b>49350</b>	15. Formation Code:	Drainage Basin: <b>REPUBLICAN RIVER</b>	County: <b>CD</b>	Special Use:	Stream: <b>ELK CREEK TRIB 2 (REPUBLICAN)</b>																				
16. Points of Diversion √ MOD DEL ENT			17. Rate and Quantity																						
PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized Rate gpm	Quantity af	Additional Rate gpm	Quantity af	Overlap PD Files													
√	<b>84293</b>	<b>SE SE SW</b>	<b>2</b>	<b>5S</b>	<b>1W</b>	<b>2</b>	<b>39</b>	<b>2948</b>	<b>700</b>	<b>223.6</b>	<b>700</b>	<b>33.6</b>	<b>NONE</b>												
<b>Comment: WS CCD 0079 &amp; Pump permission needed</b>																									
18. Storage: Rate <u><b>All NF</b></u> NF Quantity <u><b>223.6</b></u> ac/ft Additional Rate <u><b>All NF</b></u> NF Additional Quantity <u><b>223.6</b></u> ac/ft																									
19. Limitation: <u><b>223.6</b></u> af/yr at _____ gpm ( _____ cfs) when combined with file number(s) <u><b>223.6 AF WITH FILE NO. 9859</b></u>																									
Limitation: _____ af/yr at _____ gpm ( _____ cfs) when combined with file number(s) _____																									
20. Meter Required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No To be installed by <u><b>12/31/2017</b></u> Date Acceptable Meter Installed _____																									
21. Place of Use √ MOD DEL ENT		<b>NE¼</b>				<b>NW¼</b>				<b>SW¼</b>				<b>SE¼</b>				<b>Total</b>	<b>Owner</b>	<b>Chg? NO</b>	<b>Overlap Files</b>				
PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼					
<b>MOD</b>	<b>28334</b>	<b>2</b>	<b>5S</b>	<b>1W</b>	<b>1</b>																				
<b>MOD</b>	<b>24520</b>	<b>11</b>	<b>5S</b>	<b>1W</b>	<b>1</b>				<b>31.0</b>	<b>37.0</b>	<b>23.0</b>	<b>23.0</b>													
																						<b>Total:</b>	<b>172</b>		
Comments:																									

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**

**M E M O R A N D U M**

**TO:** Files

**DATE:** October 18, 2016

**FROM:** Leslie Ireland

**RE:** Water Right, File No. 9,859  
Application File No. 49,350

Sean Lambert has filed the application referred to above on March 23, 2015, for a permit to appropriate surface water at the rate of natural flows to be stored in a new reservoir, located in the Southwest Quarter of Section 2, in Township 5 South, Range 1 West, Cloud County, Kansas. The reservoir was reviewed and authorized by DWR Structures Program under File No. CCD 079. They determined it would be classified as a pit pond. The requested storage diversion is located on Elk Creek Trib 2, in the lower Republican River basin. The applicant is requesting to appropriate a total of 223.6 acre-feet of surface water storage per calendar year, and re-divert 223.6 acre-feet of the stored water for irrigation use at 700 gallons per minute. The proposed point of diversion is located on property originally owned by the Muriel A. Hardin and now shown to be held as Hardin Farm Partnership RLLP. The place of use is shown by the Cloud County Appraisers office to be owned by the Hardin Farm Partnership RLLP. The place of use has historically been authorized under File No. 9,859 and only overlaps in place of use. An application for change in place of use under File No. 9,859 was received on April 17, 2016.

Water Right, File No. 9,859 authorizes the diversion of groundwater from two wells with a blanket quantity of 190 acre-feet at 1,280 gallons per minute for the irrigation of 138 acres. The current place of use is comprised of two pivots, a pack-man and a partial wiper. The base acres have been determined by David Means, ES, Stockton Field Office to be 128 acres. The proposed change in place of use is to increase the irrigated acres to 172 acres to be irrigated by a whiper and full pivot. The half pivot located in the Southwest Quarter of Section 2 and the full pivot located in the Northwest Quarter of Section 11, both in Township 5 South, Range 1 West, Cloud County. The water for the new acres has been requested under File No. 49,350.

The pit pond has a surface area of 1 acre and a depth of approximately 15 feet, was determined in the structure permitting process to have a capacity of 11 acre-feet. The new permit, File No. 49,350 for 223.6 acre-feet has a drainage area of 2,777 acre-feet, providing approximately 1,099 acre-feet of runoff in 1 out of every five (5) years at a 20% chance of precipitation. The limiting factor for the storage would be the requested quantity for the re-diversion as the maximum quantity that can be requested for storage. The requested quantity for direct use of 223.6 acre-feet when combined with the senior water right, File No. 9,859 will require the new permit to be limited to a combined total of 223.6 acre-feet of water to irrigate the proposed place of use of 172 acres. The additional limitation will maintain a reasonable quantity for irrigation, providing 1.3 acre-feet per acre. The 700 gallons per minute for the re-diverted quantity is reasonable for irrigation use.

The applicant provided the names and addresses of landowners within one-half (1/2) mile upstream and downstream of the property boundaries. These owners were contacted for their comments on the new appropriation. No comments were received. The nearby well owners were contacted about the proposed change in place of use under File No. 9,859. No comments were received.

The size, location and design of the pit pond will not cause water to back-up on property under a different ownership. The design of the pit pond and that there are no immediate down upstream permits indicates that the approval of the new permit would not impact any senior, permitted water rights.

Due to the design and location of the storage structure, it appears that there are times when the diversion would be more aptly operated as a direct diversion of the surface waters in the Lower Republican River Basin (LRRB). A notarized Minimum Desirable Streamflow (MDS) statement signed by Sean Lambert, the tenant farmer, was submitted on February 8, 2016. By completing the MDS statement, the operator and owner affirms acknowledgement that there could be times when the diversion of water may not be allowed under the new permit. File No. 49,350 will be subject to MDS conditions. The permit will have the additional condition: "That in order to implement the provisions of K.A.R. 5-3-11(d)(6), no water shall be diverted unless the written permission of the Chief Engineer, or an authorized representative of the Chief Engineer, is obtained each time the applicant desires to divert water. The approval of this permit is not an indication that surface water will be available from this source of supply, or that written permission will be granted to divert water." As the structure is an instream pit and not a dam, it will not be required to have a controlled outlet. The LRRB is currently open to new appropriations meeting the criteria required by K.A.R. 5-3-11(d)(6), and the approval of this application is consistent with similar applications requesting surface water from the Republican River. The direct diversion will be subject to the MDS restrictions per the Kansas Water Office administration of the gage at Clay Center.

The modifications to the channel and permitting of the pit pond have been reviewed and approved by DWR Structures Program and assigned permit No. CCD 0079.

An approved water flowmeter shall be installed on the secondary diversion works (pumpsite) for the new permit. The change approval will also require meters to be installed. If any chemical or foreign substance is injected into the water pumped from the authorized diversions, a check valve will be required.

In an October 17, 2016 email, Kelly Stewart, Water Commissioner, Stockton Field Office, stated that he recommended approval of the new permit. He did request that the permit be issued with the condition that permission is required to be obtained prior to diversion, as there will be times when the creek will flow into the pit pond and be more like a standard surface water diversion.

The permitting of the new appropriation will allow approval of the application for change.

Based on the above discussion, that this area is open to new appropriations, the proposed appropriation of water appears reasonable, the structure is permitted under the DWR Water Structures Program, and there is no evidence that senior rights will be impacted, the change will not result in an increase in consumptive use, so it is recommended that the referenced new permit and change be approved.



Leslie Ireland  
Environmental Scientist  
Division of Water Resources

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

October 24, 2016

SEAN LAMBERT  
2249 N 280TH ROAD  
CLYDE KS 66938

**FILE COPY**

RE: Appropriation of Water, File No. 49,350

Dear Mr. Lambert:

There is enclosed a permit to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a 301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

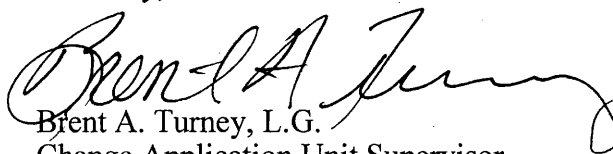
Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this permit, specifically the condition in paragraph No. 17. A water meter is required on the rediversion works and you must install it prior to water being put to beneficial use in order for you to 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. 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, L.G.  
Change Application Unit Supervisor  
Water Appropriation Program

BAT:li  
Enclosures  
pc: Stockton Field Office  
Hardin Farm Partnership RLLP



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

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

**APPROVAL OF APPLICATION**  
**and**  
**PERMIT TO PROCEED**  
 (This is not a Certificate of Appropriation)

This is to certify that I have examined Application File No. 49,350 of the applicant

**SEAN LAMBERT**  
**2249 N 280TH ROAD**  
**CLYDE KS 66938**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **March 23, 2015**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec. Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL	
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
2 5S 11W											32.00	26.00					58.0	
11 5S 11W					31.00	37.00	23.00	23.00										114.0

3. That the appropriation sought shall be limited to all natural flows of an unnamed tributary to Elk Creek, identified in the office of the Chief Engineer as Elk Creek Trib 2 (Republican), not needed to satisfy all vested rights and prior appropriation rights to be incrementally accumulated as reservoir storage space becomes available to a maximum extent of **223.6 acre-feet** per calendar year in a reservoir located in the Southeast Quarter of the Southeast Quarter of the Southwest Quarter (SE¼ SE¼ SW¼) of Section 2, more particularly described as being near a point 39 feet North and 2,948 feet West of the Southeast corner of said section, in Township 5 South, Range 1 West, Cloud County, Kansas, to provide **223.6 acre-feet** of water as needed for direct irrigation use to be withdrawn, released or otherwise diverted from the reservoir at a re-diversion rate of approximately **700 gallons per minute (1.56 c.f.s.)**. A reasonable maximum re-diversion rate will be established during the perfection period and assigned at certification.

4. That installation of works for diversion of water shall be completed on or before **December 31, 2017** any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee, which is currently \$400.00, when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.

5. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2021** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.

6. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

7. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

8. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

9. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

10. That all re-diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the re-diversion works shall be equipped with an in-line, automatic quick-closing, checkvalve 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.

11. That an acceptable water flow meter shall be installed and maintained on the re-diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

12. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

13. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

14. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

15. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

16. That in order to implement the provisions of K.A.R. 5-3-11(d)(6), no water shall be diverted unless the written permission of the Chief Engineer, or an authorized representative of the Chief Engineer, is obtained each time the applicant desires to divert water. The approval of this permit is not an indication that surface water will be available from this source of supply, or that written permission will be granted to divert water.

17. That the quantity of water approved under this file number is further limited to the quantity which combined with Water Right, File No. 9,859 will provide a total not to exceed 223.6 acre-feet of water per calendar year at the place of use authorized herein.

This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

Request for Hearing. According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer, or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

Petition for Review. The applicant, if aggrieved by this Order, may petition for administrative review, pursuant to K.S.A. 82a-711(c) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

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 24<sup>th</sup> day of October, 2016, 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 24<sup>th</sup> day of October, 2016, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.

Danielle Wilson  
Notary Public





### CERTIFICATE OF SERVICE

On this 24<sup>th</sup> day of October, 2016, I hereby certify that the foregoing Approval of Application, File No. 49,350, dated October 24, 2016, was mailed postage prepaid, first class, US mail to the following:

Sean Lambert  
2249 N 280<sup>th</sup> Road  
Clyde, KS 66938

With a true and correct copy to:

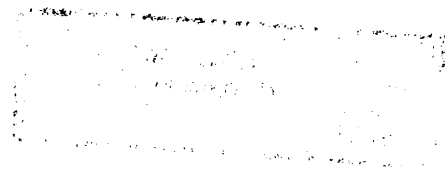
Hardin Farm Partnership RLLP  
Muriel Hardin  
3564 Haywood Ct  
Pickerington, Ohio 43147

With photocopies to:

Stockton Field Office



Division of Water Resources



THE STATE OF KANSAS



WATER RESOURCES RECEIVED

FEB 08 2016

~~110~~ RETURNED

KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 49,350  
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

MAR 23 2015

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

12:36  
KS DEPT OF AGRICULTURE

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,  
109 SW 9<sup>th</sup> Street, Second Floor, Topeka, KS 66612-1283:

1. Name of Applicant (Please Print): ~~PATRICK LAMBERT~~ Sean Lambert +  
Address: ~~2715 UNION ROAD~~ 2249 N. 280<sup>th</sup> Rd  
City: CLYDE State KS Zip Code 66938  
Telephone Number: ~~(785) 202-1058~~ (785) 614-2452

2. The source of water is:  surface water in Elk Creek Trib 2 \*  
(stream)  
OR  groundwater in Republican River  
(drainage basin)

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

3. The maximum quantity of water desired is 223.6 acre-feet OR \_\_\_\_\_ gallons per calendar year, to be diverted at a maximum rate of N.F. \* gallons per minute OR \_\_\_\_\_ cubic feet per second.

\* To Redirect At 700GPM From Pit

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

4. The water is intended to be appropriated for (Check use intended):
- (a)  Artificial Recharge
  - (b)  Irrigation
  - (c)  Recreational
  - (d)  Water Power
  - (e)  Industrial
  - (f)  Municipal
  - (g)  Stockwatering
  - (h)  Sediment Control
  - (i)  Domestic
  - (j)  Dewatering
  - (k)  Hydraulic Dredging
  - (l)  Fire Protection
  - (m)  Thermal Exchange
  - (n)  Contamination Remediation

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

\* LI/DWR  
9/7/16

For Office Use Only:															
F.O.	<u>3</u>	GMD	<u>0</u>	Meets K.A.R. 5-3-1 (YES/NO)	Use	<u>IRR</u>	Source	G	<u>S</u>	County	<u>CD</u>	By	<u>KAG</u>	Date	<u>3-24-15</u>
Code	<u>REG</u>	Fee \$	<u>200</u>	TR #	<u>15040343</u>	Receipt Date	<u>3-24-15</u>	Check #	<u>1583</u>						

APPLICATION COMPLETE  
9/11/16

SCANNED

LI - STRUCTURAL PERMIT READY.

4/1/2015 ULM

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 SE quarter of the SE quarter of the SW quarter of Section 2, more particularly described as being near a point 39 feet North and 2948 feet West of the Southeast corner of said section, in Township 5 South, Range 1 West, CLOUD 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):

MURIEL HARDIN 6791 DEVON DR. MIDDLETOWN OH 45044  
(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.

X Executed on MARCH 15, 2015.

Muriel A. Hardin  
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 DAM ONE PUMP AND METER  
(number of wells, pumps or dams, etc.)  
and will be completed (by) SUMMER 2015  
(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 SUMMER 2015  
(Mo/Day/Year)

**IRRIGATION USE  
SUPPLEMENTAL SHEET**

File No. 49350

Name of Applicant (Please Print): Patrick Hardin

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: Hardin Farm Partnership  
 ADDRESS: 3564 Haywood Ct. Pickerington OH 43417

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2	5	1W										32	26					3226	58
11	5	1W					31	37	23	23	31	37	23	23					114
																			172*

**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	

**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	

*LI/lem  
2/19/16  
FROM MAJ*

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
Longford silty clay loam	5	0.3	3
Crete silt loam	95	0.3	3
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): 2 %

Estimate the maximum land slope in the field(s): 5 %

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:

There should not be much tailwater using the center pivot system, the proposed pond would hold some tailwater if there were some.

ii. For sprinkler systems:

- (1) Estimate the operating pressure at the distribution system: 30-45 psi  
(2) What is the sprinkler package design rate? 600-650 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? 100 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:

Intended crops Corn + Soybean rotation.

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).

I have a crop consultant that advises me on watering and rates.

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

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.

WILL OVERLAP IN THE PLACE OF USE WITH WATER RIGHT FILE NO 9859

\_\_\_\_\_

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\_\_\_\_\_ WATER RESOURCES RECEIVED MAR 23 2015

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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	_____	_____	_____	_____
Total depth of well	_____	_____	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	_____	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

14. The relationship of the applicant to the proposed place where the water will be used is that of 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):  
MURIEL HARDIN 6791 DEVON DR. MIDDLETOWN OH 45044  
(name, address and telephone number)  
\_\_\_\_\_  
(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 Clyde, Kansas, this 7<sup>th</sup> day of February, 2016.  
(month) (year)

Muriel A. Hardin  
\* Sam Jewett  
(Applicant Signature)

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

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

Assisted by BAT / DWR CHANGE APP SUPERVISOR Date: 3/2/2015  
(office/title)

2-04-16

(Date)

Kansas Department of Agriculture  
Division of Water Resources  
David W. Barfield, Chief Engineer  
1320 Research Park Drive  
Manhattan, Kansas 66502

Re: Application  
File No.

49350\*

Minimum Desirable Streamflow

Dear Sir:

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

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

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

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

*[Handwritten Signature]*  
Signature of Applicant

State of Kansas )  
County of CD ) ss )

Sean Lambert  
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 4<sup>th</sup> day of February, 2016.

*[Handwritten Signature]*  
Notary Public

My Commission Expires: 3-10-17



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\*KAK/DWR



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

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

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

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

## 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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**Upstream Landowners:**

LELAND & SHARON SHARPE TRUST  
725 W VINE  
JUNCTION CITY KS 66441-3636

BELSTRA ENTERPRISES LLC  
8641 W 1100 NORTH  
DEMOTTE IN 46310-9781

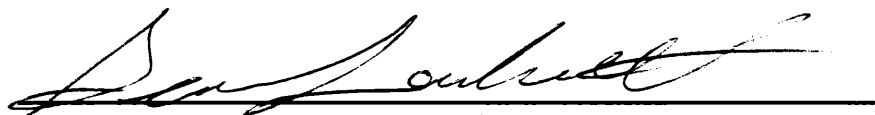
LONNIE R BACHAND TRUST  
PO BOX 206  
CONCORDIA KS 66901

**Downstream Landowners:**

DENNIS L KOCH REVOCABLE TRUST AGREEMENT  
27445 W 215TH ST  
SPRING HILL KS 66083

I understand that the direct diversion of surface water will also be restricted during the period from July 1 through September 30, of each calendar year, as required by K.A.R. 5-3-15.

**All other upstream and downstream landowners within one-half (1/2) mile of the land owned or controlled by the applicant have been identified above:**



**Applicant's Signature**

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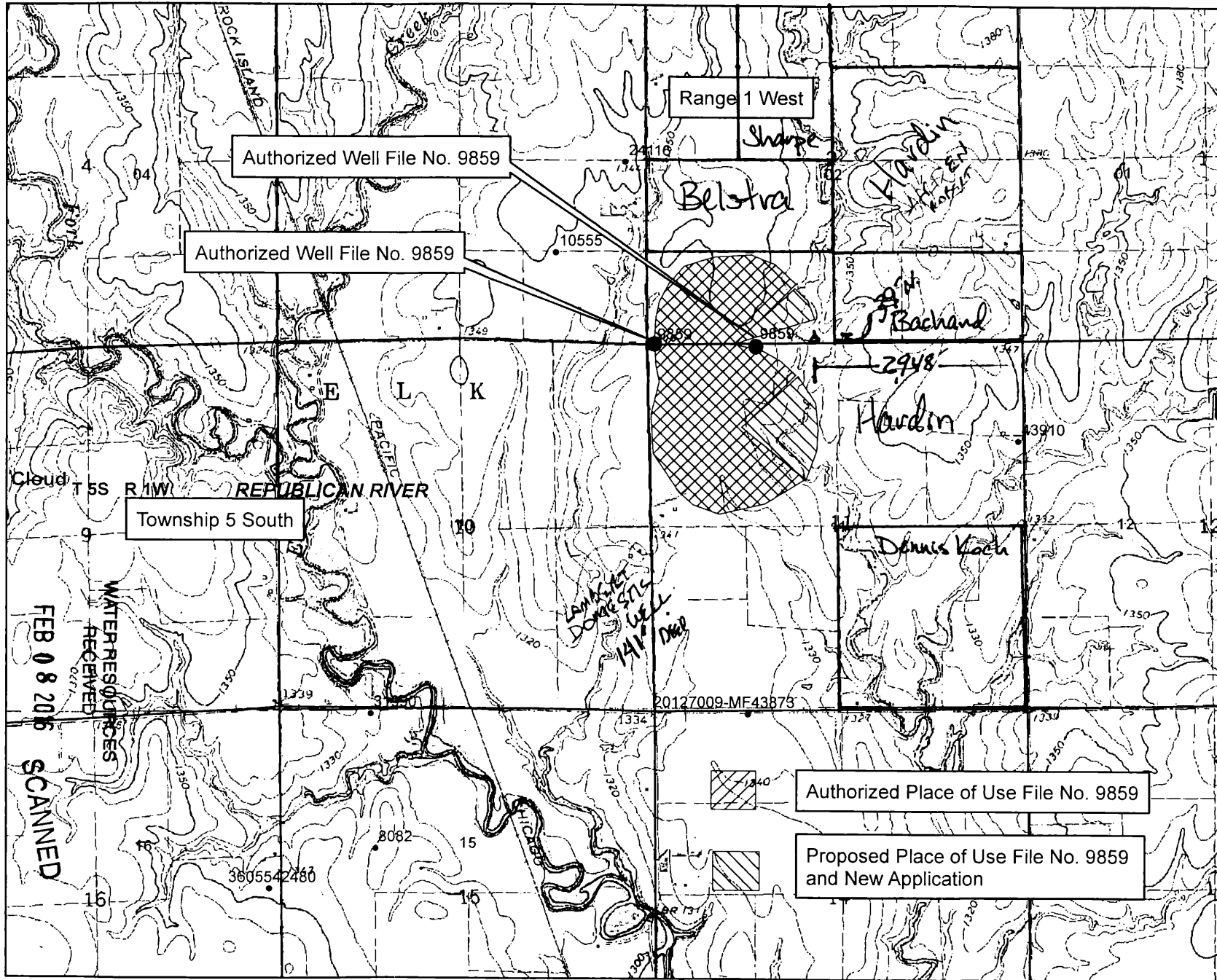
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# New Application

# 49,350

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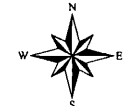
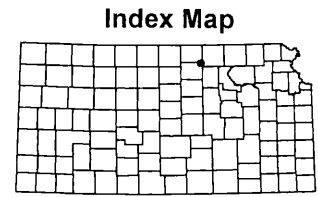
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MAR 23 2015

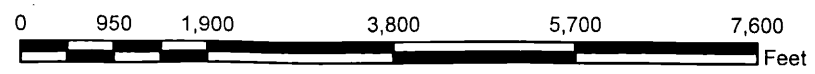
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This map was created by WIMAS on 3/2/2015 11:19:04 AM

**KS652.0204 State supplement - soils****(a) General information**

The soils listed include all the irrigable soils presently being mapped in Kansas. Land types and soils generally considered non-irrigable are not included. As additional soils are recognized, they are to be added to the appropriate irrigation design group.

The soils in each series were evaluated and placed into one of 12 groups called irrigation design groups. Soils having approximately equal intake rates, available water capacities, and available root zone depths were placed together. Some groups include soils with minor variations in intake rate, available water capacity, and permeability.

The grouping of soils is shown in the two listings that follow. The first listing shows all the soils in alphabetical order by series with dominant surface texture with the appropriate irrigation design group. Soils with similar surface textures to those listed are to be considered in the same irrigation design group. The second listing is by irrigation design groups and gives the principal soils included in each of the 12 groups. The intake family used in preparing the design data is included.

Included is a general description of the texture profiles for each design group. The estimated available water capacity for each soil group follows the description. The amounts of moisture are cumulative by 1-foot or 1/2-foot increments of depth.

The most common soils are listed below the available water capacities for each design group.

A form for listing each soil and the irrigation design group number in a county or survey area is included last in this section. Listing the mapping unit or soils in a county on one or several pages of this form simplifies the use of this guide for each county.

The statewide list that follows this section will be of value in preparing the county list. For irrigable soils not listed in the guide or for soils with substantial texture or profile variation from that listed in the guide, consult with appropriate Natural Resources Conservation Service (NRCS) soil scientists to properly list these variant soils in the correct irrigation group.

**(b) Soil intake family**

Each kind of soil has its own water intake characteristic. The difference in intake between some soils is so minor that for irrigation purposes several soils can be grouped together. In this guide, soil intake families are designated 0.1, 0.3, 0.5, 1.0, 1.5, 2.0, and 3.0 with the lowest number designation representing the slowest intake. These designations relate generally to the intake rate of the soil in inches per hour after several hours of water intake. However, intake rate varies with time as intake continues, being faster at first and slowing to a fairly constant rate after several hours. Therefore, a soil listed in the 0.3 intake family, for instance, does not necessarily take water at 0.3 inch per hour—especially at initial intake. For a light irrigation application of 1 inch, the intake rate might be 2 or 3 times the index rate.

Each of the soil intake family groups relate to one of the intake family curves shown in Figure KS2-1.

**(c) Irrigation design groups**

In this guide, the irrigated soils of Kansas are divided into 12 irrigation design groups. There are 2 groups each for soils in intake families 0.1, 0.3, 0.5, 1.0, and 1.5. The

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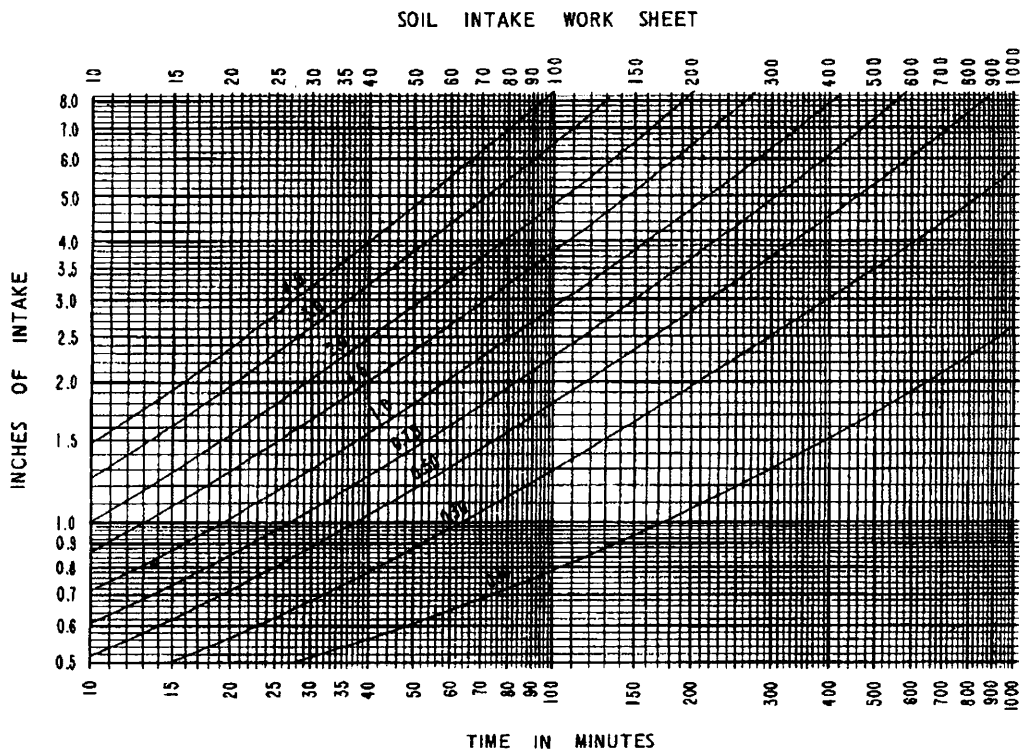
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dividing difference in the 0.1 intake family is based on surface clayeyness or surface tightness. The dividing difference within each of the 0.3, 0.5, and 1.0 intake families is profile depth of soil.

The dividing point for 1.5 intake family soils is whether available water capacity is greater or less than 5 inches of water in 5 feet of soil profile. Irrigation design groups 11 and 12 are based on the intake family only.

**Figure KS2-1** Intake Family Curves



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Irrigation Design Group 3  
(Intake Family 0.3)

Deep soils with silt loam, loam, clay loam, or silty clay loam surface layers and clay loam, silty clay loam, or silty clay subsoils. Subsoil permeability is slow to moderately slow. Shrinkage cracks that result from drying in the soils with more clayey subsoil textures allow water acceptance sufficient for this design.

<u>Depth</u>	<u>Available Water Capacity</u>
1'	2.3"
2'	4.3"
3'	6.3"
4'	8.4"
5'	10.6"

Abilene silt loam	Elmont silty clay loam	Milan clay loam
Arisburg silt loam	Gibbon loam	Milan loam
Amster loam	Gibbon silty clay loam	Missler silty clay loam
Belfon clay loam	Gymer silt loam	Nalim loam
Blanket silt loam	Gymer silty clay loam	Okemah silt loam
Blanket silty clay loam	Harney silt loam	Onawa loam
Brewer silty clay loam	Harney silty clay loam	Penalosa silt loam
Bucyrus silt loam	Hastings silt loam	Richfield loam
Carlson silt loam	Hastings silty clay loam	Richfield silt loam
Carwile fine sandy loam	Kimo silty clay loam	Ryus silty clay loam
Carwile loam	Ladoga silt loam	Sarcoxie silty clay loam
Chase silt loam	Lanton silt loam	Sharpsburg silt loam
Chase silty clay loam	Lanton silty clay loam	Sharpsburg silty clay loam
Chillicothe silt loam	Las clay loam	Smithland silt loam
Church silty clay loam	Longford loam	Smolan silt loam
<del>Crete silt loam</del>	Longford silt loam	Smolan silty clay loam
Crete silt loam	<del>Longford silty clay loam</del>	Spearville silty clay loam
Dennis silt loam	Lubbock loam	St. Paul silt loam
Dennis silty clay loam	Lubbock silt loam	Summit silty clay loam
Detroit silt loam	Lubbock silty clay loam	Tully silty clay loam
Detroit silty clay loam	Martin silty clay loam	Voda silty clay
Drummond loam	McLain silt loam	Welda silt loam
Drummond silt loam	Mento silt loam	Westview silt loam
Elmer loam	Mento silty clay loam	Wynona silt loam
Elmont loam		Zella loam
		Zella silt loam

South Pivot 11-5-1w

PIVOT CENTER NO 10642395

VALMONT INMAN IRRIGATION, INC.

Sprinkler Order No 10656846

Customer LAMBERT, PAT

Field Name

**Valley Standard Pivot 8000 Percent Timer Data**

**Based on Inches**

**Based on % Timer**

Inches Per 360 Degrees, In	Pivot Timer	Hours Per 360 Degrees
0.195	100.0	16.4
0.20	97.3	16.9
0.30	64.9	25.3
0.40	48.7	33.7
0.50	38.9	42.2
0.60	32.4	50.6
0.70	27.8	59.0
0.80	24.3	67.5
0.90	21.6	75.9
1.00	19.5	84.1
1.25	15.6	105.1
1.50	13.0	126.2
1.75	11.1	147.7
2.00	9.7	169.1
2.50	7.8	210.3
3.00	6.5	252.3
3.50	5.6	292.9

Pivot Timer	Inches Per 360 Degrees, In	Hours Per 360 Degrees
100.0	0.195	16.4
90.0	0.22	18.2
80.0	0.24	20.5
70.0	0.28	23.4
60.0	0.32	27.3
50.0	0.39	32.8
45.0	0.43	36.4
40.0	0.49	41.0
35.0	0.56	46.9
30.0	0.65	54.7
25.0	0.78	65.6
20.0	0.97	82.0
17.5	1.11	93.7
15.0	1.30	109.3
12.5	1.56	131.2
10.0	1.95	164.0
7.5	2.59	218.7
5.0	3.89	328.0

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**Field Area**

**Flow**

**Pressure**

**LRDU Drive Train**

121.0 Acres Total  
 104.5 Acres: Pivot 360°  
 16.5 Acres: EG On 100%  
 1203.6 Ft. Machine Length  
 91.8 Ft. End Gun Radius

650 Gallons Per Minute  
 5.37 GPM/Acre  
 0.28 In/Day App Rate  
 0.195 In. App Depth @ 100%  
 86.8 GPM End Gun

45 PSI Pivot Pressure  
 Inlet Pressure  
 0.0 Ft. Highest Elevation  
 20.0 Ft. Lowest Elevation

34 RPM Center Drive @ 60 Hz freq.  
 11R x 22.5 Radial Retread Tire  
 52:1 Wheel GB Ratio, LRDU Dist 1121.4 Ft.  
 16.4 Hrs/360 @ 100% ( 7.18 ) Ft/Min

**Disclaimer**

The information presented in the attached Percent Timer Report is based on variables which cannot be totally controlled by Valmont (including, but not limited to; pivot pressure, inside pipeline surface, end gun throw, end gun arc setting, tire slippage, tire pressure, field slopes, soil variations, sprinkler package installation, well capacity, center drive motor voltage, center drive motor frequency, climatic conditions and other elements and circumstances beyond Valmont's reasonable control)

Valmont recommends monitoring the machine for at least one pass through field to obtain an accurate rotation time.



Valley Standard Pivot 8000 Machine Summary

Span and Overhang

Model	Qty	Length Pipe		Coupler		D. U.	
		Ft	O.D. In	Spacing	Qty	Profile	Tire
8000	1	204.9	6 5/8	108	23	Standard	11R x 22.5 Radial Retread
8000	3	184.8	6 5/8	108	21	Standard	11R x 22.5 Radial Retread
8000	2	180.0	6 5/8	108	20	Standard	11R x 22.5 Radial Retread
8000	1	82.0	6 5/8	110	12		

Field Area

121.0 Acres Total  
 104.5 Acres: Pivot 360°  
 16.5 Acres: EG On 100%  
 1203.6 Ft. Machine Length  
 91.8 Ft. End Gun Radius

Flow

650 Gallons Per Minute  
 5.37 GPM/Acre  
 0.28 In/Day App Rate  
 0.195 In. App Depth @ 100%  
 86.8 GPM End Gun

Messages

**Caution:**  
 None

**Dealer:**  
 None

Pressure

45 PSI Pivot Pressure  
 Inlet Pressure  
 0.0 Ft. Highest Elevation  
 20.0 Ft. Lowest Elevation

LRDU Drive Train

34 RPM Center Drive @ 60 Hz freq.  
 11R x 22.5 Radial Retread Tire  
 52:1 Wheel GB Ratio, LRDU Dist 1121.4 Ft.  
 16.4 Hrs/360° @ 100% ( 7.18 ) Ft/Min

Sprinkler -- Computer Spacing

Sprinkler Configuration	Range (ft)
Vanmar U-Pipe 6 PVC 3/4 M NPT x 3/4 F NPT	All
Vanmar PVC Drop Variable Length 94" Ground Clr	
Nelson Regulator Blue Acme 20 3/4 F NPT	
Nelson R3000 D4 - Green 3/4 F Acme	

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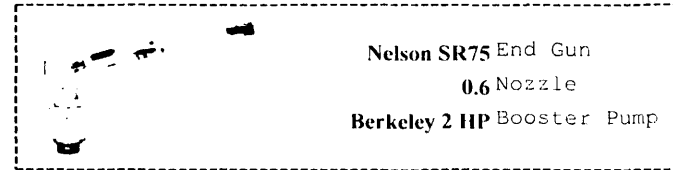
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SCANNED

**Valley Standard Pivot 8000 Machine Summary**

Pressure Loss

Pipe Length Ft.	Pipe I.D. In	Pipe Finish	C-Factor	Loss PSI
1176.2	6.42	Galvanized	150	6.4
27.4	3.79	Galvanized	150	0.5
<b>Total =</b>				<b>6.9</b>



Span Flow

Span Number	Irrigated Length	Irrigated Acres	Rqd GPM	Act GPM	Rqd GPM/Acre	Act GPM/Acre	% Deviation
1	204.7	3.1	16.2	22.3	5.24	7.23	37.9
2	184.9	8.0	41.8	41.8	5.24	5.23	-0.1
3	184.9	12.9	67.6	68.1	5.24	5.28	0.7
4	184.9	17.8	93.5	93.2	5.24	5.23	-0.3
5	180.1	22.1	115.9	115.9	5.24	5.24	-0.0
6	179.8	26.8	140.2	140.0	5.24	5.23	-0.1
O/H	82.3	13.8	73.2	73.1	5.30	5.30	-0.0
EG	91.8	16.5	89.0	86.8	5.38	5.25	-2.5
<b>Totals</b>		<b>121</b>		<b>641.2</b>			
	<b>Drain Sprinkler</b>		<b>8.9</b>	<b>8.5</b>			
	<b>Total Machine Flow</b>			<b>649.7</b>			

Advanced Options

Drain Sprinkler = Senninger Directional  
 Last Sprinkler Coverage = 1.0 ft  
 Sprinkler Coverage Length = 1204.6 ft  
 Use Last Coupler = YES  
 Minimum Mainline Pressure = 6.0 PSI

Shipping Options

Ship Drop Hardware  
 Ship Endgun Nozzle  
 Ship Endgun & Hardware  
 Do not ship Endgun Valve / Nozzle Valve Hardware  
 Do not ship Boosterpump Hardware

SCANNED

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KS DEPT OF AGRICULTURE

North Pivot 2-5-1w

Parent Order No 10964150

Dealer **Inman Irrigation**  
 Customer **LAMBERT BROTHERS**  
 Field Name **LAMBERT BROTHERS - HARDIN**

Sprinkler Order No 10968181

**Valley Standard Pivot 7000 Percent Timer Data**

**Setup Information - Valley Computer Control Panel Water Application Constants: Minimum Application = 0.180 Hours Per Revolution = 18.4**

**Based on Inches**

Inches Per 360 Degrees	Pivot % Timer	Hours Per 360 Degrees
0.180	100.0	18.4
0.20	90.0	20.4
0.30	60.0	30.7
0.40	45.0	40.9
0.50	36.0	51.1
0.60	30.0	61.3
0.70	25.7	71.6
0.80	22.5	81.8
0.90	20.0	92.0
1.00	18.0	102.2
1.25	14.4	127.8
1.50	12.0	153.3
1.75	10.3	178.6
2.00	9.0	204.4
2.50	7.2	255.6
3.00	6.0	306.7
3.50	5.1	360.8

**Based on % Timer**

Pivot % Timer	Inches Per 360 Degrees	Hours Per 360 Degrees
100.0	0.180	18.4
90.0	0.20	20.4
80.0	0.23	23.0
70.0	0.26	26.3
60.0	0.30	30.7
50.0	0.36	36.8
45.0	0.40	40.9
40.0	0.45	46.0
35.0	0.51	52.6
30.0	0.60	61.3
25.0	0.72	73.6
20.0	0.90	92.0
17.5	1.03	105.1
15.0	1.20	122.7
12.5	1.44	147.2
10.0	1.80	184.0
7.5	2.40	245.3
5.0	3.60	368.0

WATER RESOURCES  
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**Field Area**

135.5 Acres Total  
 119.8 Acres: Pivot 360°  
 15.7 EG on 100%  
 1288.7 Ft. Machine Length  
 82.0 Ft. End Gun Radius

**Flow**

600 Gallons Per Minute  
 4.43 GPM/Acre  
 0.23 In/Day App Rate  
 0.180 In. App Depth @ 100%  
 66.2 GPM End Gun

**Pressure**

30 PSI Pivot Pressure  
 Inlet Pressure  
 0.0 Ft. Highest Elevation  
 0.0 Ft. Lowest Elevation

**LRDU Drive Train**

34 RPM Center Drive @ 60 Hz freq.  
 11R x 22.5 Radial Retread Tire  
 52:1 Wheel GB Ratio, LRDU Dist 1261 Ft.  
 18.4 Hrs/360 @ 100% ( 7.18 ) Ft/Min

KS DEPT OF AGRICULTURE

SCANNED

**Disclaimer**

The information presented in the attached Percent Timer Report is based on variables which cannot be totally controlled by Valmont (including, but not limited to; pivot pressure, inside pipeline surface, end gun throw, end gun arc setting, tire slippage, tire pressure, field slopes, soil variations, sprinkler package installation, well capacity, center drive motor voltage, center drive motor frequency, climatic conditions and other elements and circumstances beyond Valmont's reasonable control). Valmont recommends monitoring the machine for at least one pass through field to obtain an accurate rotation time.

Span and Overhang

Field Area

Flow

Model	Qty	Length Pipe		Coupler		D. U.	
		Ft	O.D. In	Spacing	Qty	Profile	Tire
7000	7	180.0	6 5/8	108	20	Standard	11R x 22.5 Radial Retread
7000	1	27.0	6 5/8	110	4		

135.5 Acres Total
119.8 Acres: Pivot 360°
15.7 EG on 100%
1288.7 Ft. Machine Length
82.0 Ft. End Gun Radius

600 Gallons Per Minute
4.43 GPM/Acre
0.23 In/Day App Rate
0.180 In. App Depth @ 100%
66.2 GPM End Gun

Messages

<u>Caution:</u> None
<u>Dealer:</u> None

Pressure

30 PSI Pivot Pressure
Inlet Pressure
0.0 Ft. Highest Elevation
0.0 Ft. Lowest Elevation

LRDU Drive Train

34 RPM Center Drive @ 60 Hz freq.
11R x 22.5 Radial Retread Tire
52:1 Wheel GB Ratio, LRDU Dist 1261.2 Ft.
18.4 Hrs/360° @ 100% ( 7.18 ) Ft/Min

Sprinkler -- Available Outlets

Sprinkler Configuration	Range (ft)
Geist U-Pipe 6 PVC 3/4 M NPT x 3/4 F NPT	Outlets
	4,60,1
Geist PVC Drop Variable Length 94" Ground Clr	61,140
	142,144
Nelson R3000 D8 - Orange 3/4 M NPT	



SCANNED

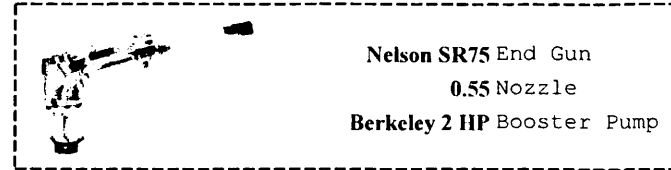
WATER RESOURCES  
RECEIVED

FEB 08 2016

KS DEPT OF AGRICULTURE

Pressure Loss

Pipe Length Ft	Pipe I.D. In	Pipe Finish	C-Factor	Loss PSI
1288.7	6.42	Galvanized	150	5.4
<b>Total =</b>				<b>5.4</b>



Span Flow

Span Number	Irrigated Length	Irrigated Acres	Rqd GPM	Act GPM	Rqd GPM/Acre	Act GPM/Acre	% Deviation
1	156.4	2.3	10.1	16.5	4.33	7.09	63.7
2	180.1	7.0	30.5	30.5	4.33	4.33	0.0
3	180.1	11.7	50.8	50.9	4.33	4.34	0.2
4	180.1	16.4	71.1	70.9	4.33	4.32	-0.2
5	180.1	21.1	91.3	91.4	4.33	4.34	0.1
6	180.1	25.8	111.6	111.6	4.33	4.33	-0.0
7	179.8	30.4	131.7	132.0	4.33	4.34	0.2
O/H	27.4	5.0	22.7	22.3	4.49	4.43	-1.4
EG	82.0	15.7	69.6	66.2	4.43	4.21	-5.0
<b>Totals</b>		<b>135.4</b>		<b>592.3</b>			
	<b>Drain Sprinkler</b>		<b>7.7</b>	<b>7.7</b>			
	<b>Total Machine Flow</b>		<b>600</b>				

Advanced Options

Drain Sprinkler = Senninger Directional  
 Last Sprinkler Coverage = 1.0 ft  
 Sprinkler Coverage Length = 1289.7 ft  
 Use Last Coupler= YES  
 Minimum Mainline Pressure = 6.0 PSI

Shipping Options

Ship Drop Hardware  
 Ship Endgun Nozzle  
 Ship Endgun & Hardware  
 Do not ship Endgun Valve / Nozzle Valve Hardware  
 Do not ship Boosterpump Hardware

SCANNED



**Cloud County  
Property Data**

Current Theme:

- General Info
- Residential
- Commercial
- Agricultural
- Map
- Building Sketch
- Full Report
- Help

Data:	Updated:
Property Info	9/16/2016
Parcel Map	9/26/2016
Aerial Photos	3/2014

6 property records were found. Click a **Parcel ID** to establish

Rec	Parcel ID	Owner Name
1	<a href="#">0150110200000005000</a>	HARDIN FARM PARTNERSHIP
2	<a href="#">0150110200000007000</a>	HARDIN FARM PARTNERSHIP
3	<a href="#">0150111100000001005</a>	HARDIN FARM PARTNERSHIP
4	<a href="#">0150172500000002000</a>	HARDIN FARM PARTNERSHIP

**Agricultural Information**

Subject Property: 0150111100000001005

QuickRef ID : R15

Owner Name : HARDIN FARM PARTNERSHIP

Location : 2250 N 280TH RD, Clyde, KS 66938.

Legal Desc : S11, T05, R01, ACRES 317.11, N2 EXC RD F

The legal description displayed above is not adequate for use in le

**Ag Land Details**

Acre Type :	No Acres :	Map Unit :
Tame Grass - TG	.79	3851
Tame Grass - TG	.1	3828
Tame Grass - TG	3.31	3802
Tame Grass - TG	1.23	3404
Tame Grass - TG	.25	3401
Native Grass - NG	.02	WAST
Native Grass - NG	.25	3870
Native Grass - NG	27.26	3851
Native Grass - NG	.11	3828
Native Grass - NG	.32	3826
Native Grass - NG	2.82	3802
Native Grass - NG	.63	3801



**Cloud County  
Property Data**

Current Theme:

- General Info
- Residential
- Commercial
- Agricultural
- Map
- Building Sketch
- Full Report
- Help

Data:	Updated:
Property Info	9/16/2016
Parcel Map	9/26/2016
Aerial Photos	3/2014

<   >

6 property records were found. Click a **Parcel ID** to establish

Rec	Parcel ID	Owner Name
1	<a href="#">0150110200000005000</a>	HARDIN FARM PARTNERSHIP
2	<a href="#">0150110200000007000</a>	HARDIN FARM PARTNERSHIP
3	<a href="#">0150111100000001005</a>	HARDIN FARM PARTNERSHIP
4	<a href="#">0150172500000002000</a>	HARDIN FARM PARTNERSHIP

**Agricultural Information**

Subject Property: 0150110200000005000

QuickRef ID : R12

Owner Name : HARDIN FARM PARTNERSHIP

Location : 2300 N 280TH RD, Clyde, KS 66938.

Legal Desc : S02, T05, R01, ACRES 79.36, S2 SW4 EXC F

The legal description displayed above is not adequate for use in le

**Ag Land Details**

Acre Type :	No Acres :	Map Unit :
Tame Grass - TG	.01	3851
Tame Grass - TG	.01	3802
Native Grass - NG	10.35	3851
Native Grass - NG	.16	3828
Native Grass - NG	1.62	3826
Native Grass - NG	1.34	3802
Native Grass - NG	.06	3800
Native Grass - NG	2.77	3261
Irrigated Land - IR	.01	3851
Irrigated Land - IR	8.9	3802
Irrigated Land - IR	25.41	3801
Irrigated Land - IR	28.67	3800

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Thinking

Starting

Maintaining

Closing

## Business Entity Search

Date: 09/28/2016

Be advised the business information on this page is for summary informational purposes only. It is not an official filing with the Secretary of State's office and should not be relied on as such. Please view actual documents filed by customers with the secretary of State's office to ensure accurate information. When filing a Uniform Commercial Code statement on an entity, consult with your attorney to ensure the correct debtor name.

### Business Summary

#### Current Entity Name

HARDIN FARM PARTNERSHIP RLLP

[File Name Change Online](#)

#### Business Entity ID Number

5019435

[View History and Documents](#)

Current Mailing Address: ROBERT A. HARDIN - 3564 HAYWOOD COURT, PICKERINGTON, OH 431478647

[Update](#)

Business Entity Type: KANSAS LTD LIABILITY PARTNERSHIP

Date of Formation in Kansas: 05/19/2016

State of Organization: KS

Current Status: ACTIVE AND IN GOOD STANDING

[Certificate of Good Standing](#)

#### Resident Agent and Registered Office

Resident Agent: DANA BREWER

Registered Office: 613 WASHINGTON STREET, CONCORDIA, KS 66901

[Update Resident Agent/Office](#)



## Annual Reports

The following annual report information is valid for active and delinquent status entities only.

Tax Closing Month: 12

The Last Annual Report on File: 00/0000

**Next Annual Report Due**: 04/15/2017

**Forfeiture Date**: 07/15/2017

Be advised the business information on this page is for summary informational purposes only. It is not an official filing with the Secretary of State's office and should not be relied on as such. Please view actual documents filed by customers with the secretary of State's office to ensure accurate information. When filing a Uniform Commercial Code statement on an entity, consult with your attorney to ensure the correct debtor name.

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## Ireland, Leslie

---

**From:** Stewart, Kelly  
**Sent:** Monday, October 17, 2016 7:52 AM  
**To:** Ireland, Leslie  
**Cc:** Billinger, Mark; Hageman, Rebecca  
**Subject:** RE: Recommendation for Permit, File No. 49350 & change approval File No. 9717-D1

Leslie,

I have no objection to the approval of these applications.

Kelly

**From:** Ireland, Leslie  
**Sent:** Tuesday, October 11, 2016 11:37 AM  
**To:** Stewart, Kelly <[Kelly.Stewart@ks.gov](mailto:Kelly.Stewart@ks.gov)>  
**Cc:** Billinger, Mark <[Mark.Billinger@ks.gov](mailto:Mark.Billinger@ks.gov)>  
**Subject:** Recommendation for Permit, File No. 49350 & change approval File No. 9717-D1

Kelly,

I heard about your requested revisions and took another stab at this strange pit pond... and while this is considered a storage application,, but not... the memo and permit conditions for this to be like a direct diversion in the LRRB, because that is more like what it really is.... Please see the paragraph at the top of page 2 in the memo and conditions in paragraphs 15-18 in the permit.

Please let me know if you could recommend the revised conditions of this permit.

As always comments and concerns are welcome.

Leslie Ireland, Environmental Scientist II  
Kansas Department of Agriculture  
Division of Water Resources - Change Unit  
(785) 564-6633  
[Leslie.Ireland@ks.gov](mailto:Leslie.Ireland@ks.gov)  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Ireland, Leslie

---

To: **FILE**  
Subject: CCD 0079 Water Right, 9859 { 49,350 -

From: Bristow, Leonard  
Sent: Thursday, September 01, 2016 8:28 AM  
To: Ireland, Leslie  
Cc: Stewart, Kelly  
Subject: Proposed Pit Pond, WSN0. CCD-0079, Water right file 9859

Leslie,

Attached is an aerial photo of the proposed pit pond. From all of the information submitted to me, it would be 1 acre in surface area for the impounded water. The pit is proposed to be 15 feet deep below the stream channel. The storage was calculated to be approximately 11 acre feet.

Leonard

Please be advised that my e-mail address has changed to: [leonard.bristow@ks.gov](mailto:leonard.bristow@ks.gov)

Leonard B. Bristow, P.E.  
Water Structures Engineer  
Kansas Department of Agriculture  
Division of Water Resources  
Stockton Field Office  
820 S. Walnut  
Stockton KS 67669  
785/425-6787  
[leonard.bristow@ks.gov](mailto:leonard.bristow@ks.gov)  
<http://agriculture.ks.gov/dwr>

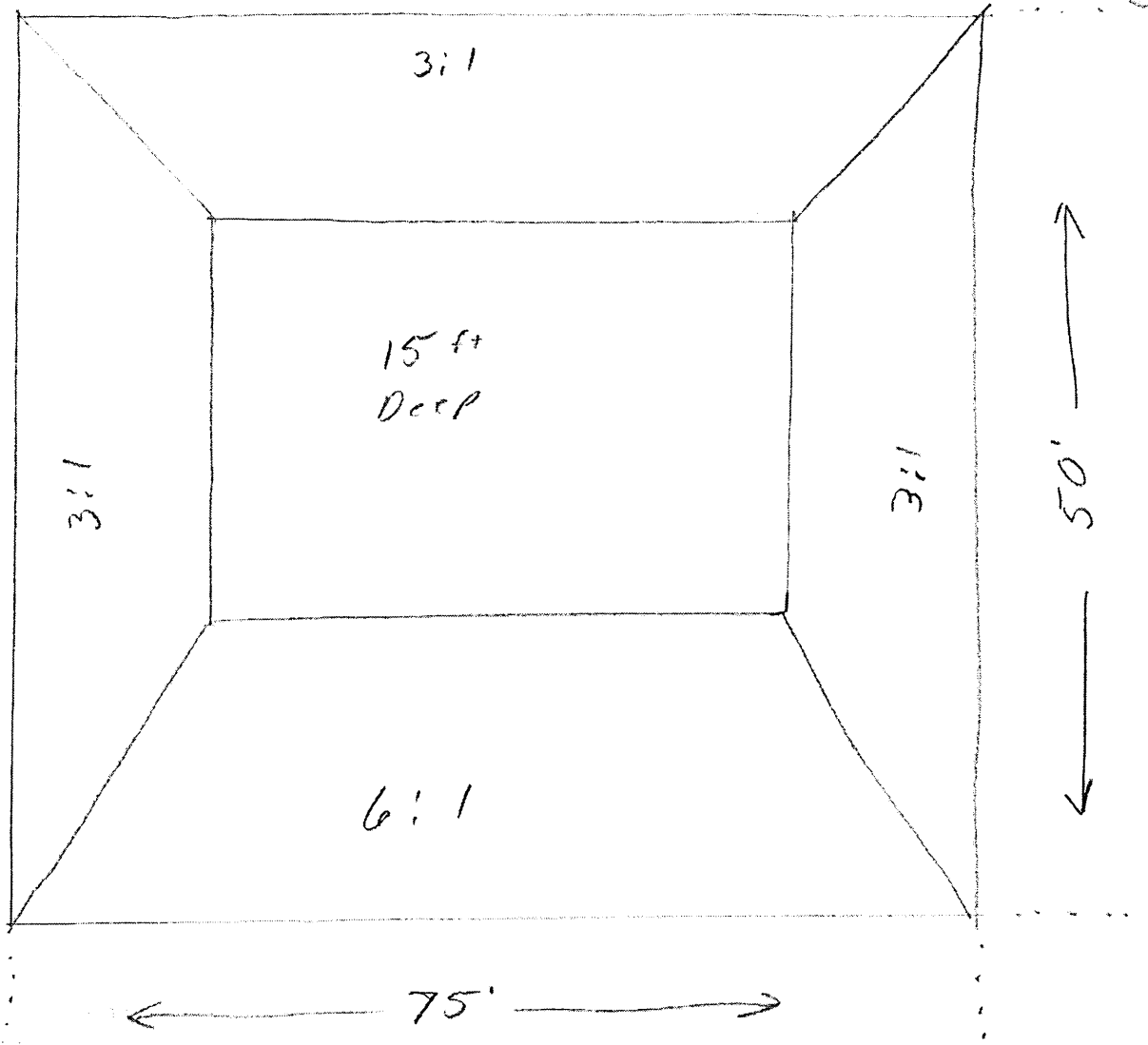
Our applications have changed. Please visit our website to get current applications for new projects at:  
<http://agriculture.ks.gov/divisions-programs/dwr/stream-and-floodplain-permits>

Hardin's Pond

75' x 50' x 15'

202 gal/cu yd

600 x 60 = 36,000/hr. x 5hr = 180,000 gal



WATER RESOURCES RECEIVED

APR 25 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

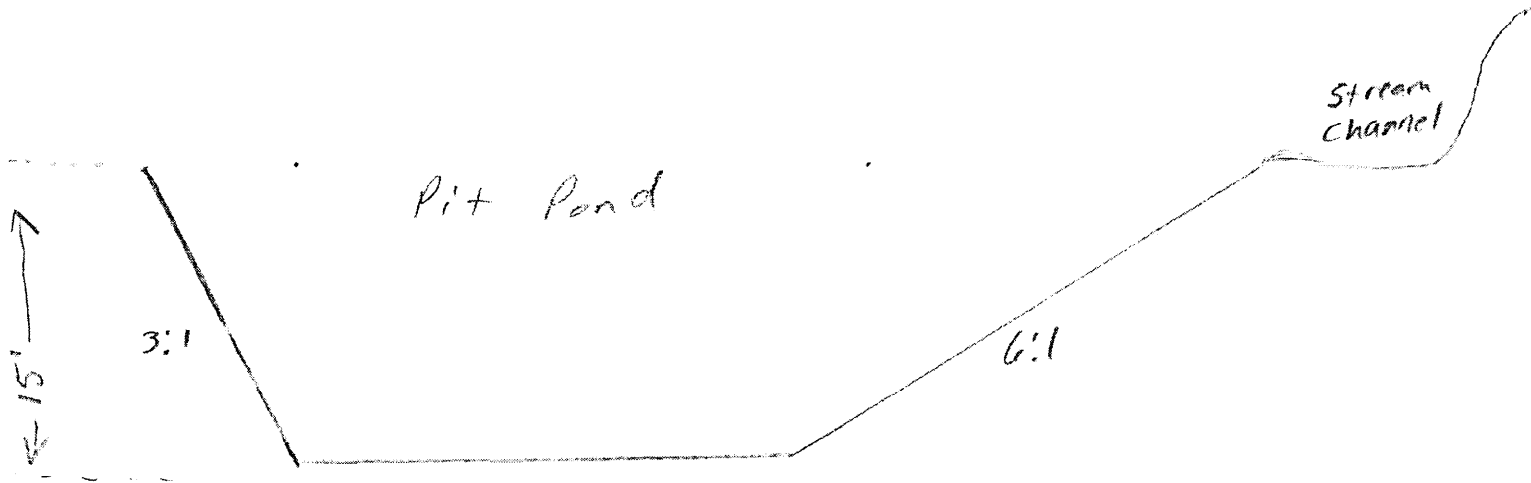
FEB 10 2016

RECEIPT OF AGRICULTURE

SCANNED

Hardin's Pond.

75' x 50' x 15'



WATER RESOURCES  
RECEIVED

APR 25 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES  
RECEIVED

FEB 10 2016

KS DEPT OF AGRICULTURE

## Ireland, Leslie

---

**From:** Bristow, Leonard  
**Sent:** Monday, April 25, 2016 10:11 AM  
**To:** Ireland, Leslie  
**Subject:** RE: CCD 0079 Lambert, Hardin Farm Partnership  
**Attachments:** 2016-02-10 CCD-0079 plans recd.pdf; 2016-04-04 CCD-0079 req info.pdf

Hi Leslie,

From my understanding this project is for the purpose of constructing a pit adjacent to the stream channel to store water for irrigation use. The pit would be connected to the stream channel as the right bank would be excavated to adjoin the pit pond. The plans show the pit would be 50 feet x 75 feet, and 15 feet in depth. However, with the sideslopes shown as 3:1 and 6:1 these dimensions would not work to have the pit 15 feet in depth . I sent Hardin Farm Partnership and Sean Lambert (operator) a letter requesting additional information April 4, 2016. I am attaching a copy of the plans and letter for your information.. To date I have not had any response, but they have until June 3, 2016 to respond.

I hope this helps. Let me know if you have any questions.

Thanks,

Leonard

---

**From:** Ireland, Leslie  
**Sent:** Monday, April 25, 2016 9:13 AM  
**To:** Bristow, Leonard  
**Subject:** CCD 0079 Lambert, Hardin Farm Partnership

Leonard,

It has been ages since I've have had to bug you with something...I have the new app and change for this project. It looks to be a channel change to create a pit in the stream? It is really different, and not even sure if that is what is proposed, as I've not seen any of the structure plans.

Could you please let me know if it looks like a doable project? if so about the pits proposed depth and surface acres?

Thanks,  
Leslie Ireland, Environmental Scientist II  
Kansas Department of Agriculture  
Division of Water Resources - Change Unit  
(785) 564-6633  
[Leslie.Ireland@kda.ks.gov](mailto:Leslie.Ireland@kda.ks.gov)  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

WATER RESOURCES  
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APR 25 2016

KS DEPT OF AGRICULTURE



Stockton Field Office  
820 S. Walnut  
Stockton, Kansas 67669-0192

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Kelly Stewart, Water Commissioner

Phone: (785) 425-6787  
Fax: (785) 425-6842  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

April 4, 2016

HARDIN FARM PARTNERSHIP  
3564 HAYWOOD CT  
PICKERINGTON OH 43147-8674

C/O SEAN LAMBERT  
2249 N 280<sup>TH</sup> ROAD  
CLYDE KS 66938

Re: Additional Information Needed  
Application for Permit to Construct  
Pit Pond  
Tributary to Elk Creek  
WSN: CCD-0079, Notice No. 2016049

Dear Mr. Lambert:

Your application for the above referenced pit pond to be constructed in a tributary to Elk Creek is currently under review. This project would be located in the SE ¼ of the SE ¼ of the SW ¼ of Section 02, Township 05 South, Range 01 West, Cloud County, Kansas, and is for the purpose of irrigating land currently authorized under an existing water right, Appropriation of Water File No. 9859.

The plans have been reviewed and before the Chief Engineer can give favorable consideration to your plans and issue a permit authorizing construction of the project, the following items must be addressed:

1. The general location map did not include the property lines with the names and addresses of adjoining landowners [K.A.R. 5-41-1(a)].
2. Although a plan view of the proposed changes to the channel was submitted, it is unclear how the proposed pit can be constructed to the outside dimensions of 75 ft. x 50 ft. and 15 ft. deep, with the 3:1 and 6:1 sideslopes.
3. The cross section submitted should be on an elevation view, showing elevations of the existing stream channel and banks. A cross section of the proposed pit pond should also be submitted on an elevation view [K.A.R. 5-41-1(d and f)].
4. The elevation, description and location of at least one permanent benchmark should be submitted [K.A.R. 5-41-1(e)].
5. Disposal of the excavated material should be shown (K.A.R. 5-41-5).
6. A fifty feet wide vegetative strip should be shown on each side of the new channel (K.A.R. 5-41-6).

WATER RESOURCES  
RECEIVED

APR 25 2016

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KS DEPT OF AGRICULTURE

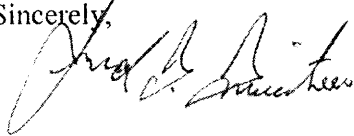
Hardin Farm Partnership  
WSNo. CCD-0079  
April 4, 2016  
Page 2

These issues must be addressed (including the submittal of at least one set of revised plans reflecting any required changes) on or before June 3, 2016, or any authorized extension of time. Failure to submit the revised plans within the authorized time will result in the dismissal of your application for permit. The requirements for the plans can be viewed and downloaded at [http://agriculture.ks.gov/docs/default-source/statues-water/obstructions\\_in\\_streams\\_dam\\_regulations.pdf?sfvrsn=4](http://agriculture.ks.gov/docs/default-source/statues-water/obstructions_in_streams_dam_regulations.pdf?sfvrsn=4).

Any construction, maintenance, or improvements to a stream obstruction, channel change, or other water obstruction subject to the provisions of K.S.A. 82a-301 to 305a without receiving the prior written consent or permit by the Chief Engineer shall be considered a violation of said statutes.

If you have any questions, please contact me at 785/425-6787.

Sincerely,



Leonard B. Bristow, P.E.  
Water Structures Engineer

WATER RESOURCES  
RECEIVED

APR 25 2016

KS DEPT OF AGRICULTURE

pc: Appropriation of Water, File No. 9859  
Stockton Field Office



  
**Kansas**  
Department of Agriculture  
agriculture.ks.gov

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 7, 2016

~~PATRICK LAMBERT~~ *Sean Lambert*  
~~2715 UNION RD~~ *2249 N. 280th Rd*  
~~CLYDE KS 66938~~ *Clyde, KS 66938*

RE: Application  
File No. 49,350

WATER RESOURCES  
RECEIVED

FEB 08 2016

Dear Mr. Lambert:

We have reviewed your referenced Application to Appropriate Water for Beneficial Use and the following information is required.

It is noted that you propose to appropriate water for irrigation purposes, to be pumped from a small pit constructed in or near the stream channel. Based on the available information, the Obstructions in Streams Act requires that you obtain a permit. Please contact Janelle Phillips, in our Water Structures Program, at (785) 564-6656, for additional information about completing the required forms.

All applications to appropriate water for beneficial use filed on or after April 12, 1984, are subject to any minimum desirable streamflow requirements identified and established pursuant to KSA 82a-703c. Enclosed is a form which will need to be signed, notarized and returned to our office.

The names and mailing addresses of all owners of each tract of land adjacent to the stream from a distance one-half (1/2) mile upstream and one-half (1/2) mile downstream from the property lines of the land owned or controlled by the applicant must be provided. Enclosed is a map indicating our understanding of the ownership of the upstream and downstream properties. Please review the information for accuracy and add your signature. If this information is incorrect or incomplete, please supply this office with the correct and complete information.

The place of use will need to be shown on the enclosed "Irrigation Use Supplemental Sheet." It appears you intend to irrigate approximately 172 acres, which will need to be broken out by 40 acre tracts. You may be able to obtain assistance in completing this portion of the application from your local USDA/NRCS service center.

Finally, your application will be subject to the requirements of K.A.R. 5-3-15, which restrict the direct diversion of surface water during the period from July 1 through September 30, of each calendar year. You will be required to rely on your existing groundwater rights for irrigation during that time-frame. By returning the application, you acknowledge that you understand this will be a condition to your permit, should your application be approved.

Your application is being returned so that you may comply with the above instructions. In order for the application to retain its priority of filing, this original application and attachments must be returned, with any corrections dated and signed, to this office on or before **February 8, 2016**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments as outlined above, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

PATRICK LAMBERT

File No. 49,350

Page 2 of 2

If you plan to go to the Division of Water Resources Stockton Field Office for assistance, please take this letter, your application and attachments with you.

Sincerely,



Kenneth A. Kopp, P.G.  
New Application Unit Supervisor  
Water Appropriation Program

Pc: Stockton Field Office  
Robert Hardin



*I have contacted Janette Phillips  
and I am in the process  
of obtaining a permit.*

**ADDRESS LIST**

Nearby land owners with an appropriation

Application for Change

Water Right, File No. 9,859

Owners of File Nos. 10,555 & 24,116:

MICHAEL L & ELLEN K LONG

237 NORTHSIDE DR

HEBRON NE 68370

New Application

Appropriation, File No. 49,350

Nearby land owners

Properties North of Proposed Point of Diversion

BELSTRA ENTERPRISES LLC

2326 N 280TH RD

CLYDE KS 66938

LONNIE R BACHAND

2301 N 290TH RD

CLYDE KS 66938

LELAND & SHARON SHARPE TRUST

2826 REPUBLIC RD

CLYDE KS 66938

Properties South of Proposed Point of Diversion

DENNIS L KOCH REVOCABLE TRUST AGREEMENT

2851 VALE RD

CLYDE KS 66938

DENNIS L KOCH REVOCABLE TRUST AGREEMENT

27445 W 215<sup>TH</sup> ST

SPRING HILL KS 66083

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

February 22, 2016

LONNIE R BACHAND TRUST  
PO BOX 206  
CONCORDIA KS 66901

Re: Application  
File No. 49,350

Dear Sir or Madam:

This is to advise you that Sean Lambert has filed the application referred to above for permit to appropriate 223.6 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of natural flows from a location as follows:

a point located in the Southeast Quarter of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 2, more particularly described as being near a point 39 feet North and 2,948 feet West of the Southeast corner of said section, in Township 5 South, Range 1 West, Cloud County, Kansas.

A copy of an aerial photograph depicting the location of the proposed point of diversion is also enclosed. Records in this office indicate that you may own land along the stream in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location(s) of the applicant's point(s) 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, 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:  
Enclosure(s)  
pc: Stockton Field Office

SCANNED

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Jackie McClaskey, Secretary

Governor Sam Brownback

February 22, 2016

BELSTRA ENTERPRISES LLC  
8641 W 1100 NORTH  
DEMOTTE IN 46310

Re: Application  
File No. 49,350

Dear Sir or Madam:

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Environmental Scientist  
Water Appropriation Program

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SCANNED



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Jackie McClaskey, Secretary

Governor Sam Brownback

February 22, 2016

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Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

February 22, 2016

LELAND & SHARON SHARPE TRUST  
725 W VINE  
JUNCTION CITY KS 66441

Re: Application  
File No. 49,350

Dear Sir or Madam:

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Jackie McClaskey, Secretary

Governor Sam Brownback

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Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

January 7, 2016

PATRICK LAMBERT  
2715 UNION RD  
CLYDE KS 66938

RE: Application  
File No. 49,350

Dear Mr. Lambert:

We have reviewed your referenced Application to Appropriate Water for Beneficial Use and find the following information is required.

It is noted that you propose to appropriate water for irrigation purposes, to be pumped from a small pit constructed in or near the stream channel. Based on the available information, the Obstructions in Streams Act requires that you obtain a permit. Please contact Janelle Phillips, in our Water Structures Program, at (785) 564-6656, for additional information about completing the required forms.

All applications to appropriate water for beneficial use filed on or after April 12, 1984, are subject to any minimum desirable streamflow requirements identified and established pursuant to KSA 82a-703c. Enclosed is a form which will need to be signed, notarized and returned to our office.

The names and mailing addresses of all owners of each tract of land adjacent to the stream from a distance one-half (1/2) mile upstream and one-half (1/2) mile downstream from the property lines of the land owned or controlled by the applicant must be provided. Enclosed is a map indicating our understanding of the ownership of the upstream and downstream properties. Please review the information for accuracy and add your signature. If this information is incorrect or incomplete, please supply this office with the correct and complete information.

The place of use will need to be shown on the enclosed "Irrigation Use Supplemental Sheet." It appears you intend to irrigate approximately 172 acres, which will need to be broken out by 40 acre tracts. You may be able to obtain assistance in completing this portion of the application from your local USDA/NRCS service center.

Finally, your application will be subject to the requirements of K.A.R. 5-3-15, which restrict the direct diversion of surface water during the period from July 1 through September 30, of each calendar year. You will be required to rely on your existing groundwater rights for irrigation during that time-frame. By returning the application, you acknowledge that you understand this will be a condition to your permit, should your application be approved.

Your application is being returned so that you may comply with the above instructions. In order for the application to retain its priority of filing, this original application and attachments must be returned, with any corrections dated and signed, to this office on or before **February 8, 2016**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments as outlined above, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

PATRICK LAMBERT  
File No. 49,350  
Page 2 of 2

If you plan to go to the Division of Water Resources Stockton Field Office for assistance, please take this letter, your application and attachments with you.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Kopp', written over a horizontal line.

Kenneth A. Kopp, P.G.  
New Application Unit Supervisor  
Water Appropriation Program

Pc: Stockton Field Office  
Robert Hardin

Robert A. Hardin  
3564 Haywood Court  
Pickerington, OH 43147  
Home; 614-861-4053  
Cell: 614-332-8452

March 16, 2015

Mr. Brent A. Turney, L.G.  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, Kansas 66502

Dear Mr. Turney:

Enclosed are executed forms DWR 1-100 and DWR 1-120, along with a \$200 check, for my family's property in Cloud County.

I believe the forms have been completely filled out, but please let me know if you find omissions or incorrect information.

Thank you for your help.

Respectfully,



Robert A. Hardin

WATER RESOURCES  
RECEIVED

MAR 23 2015

KS DEPT OF AGRICULTURE

SCANNED

NEW STREAM WORKSHEET

ES KAG

Date: 3-24-15

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

Basin Name: Republican River Basin No. \_\_\_\_\_

Stream Name: Elk Creek Trib 2

Stream location (confluence with parent stream):

Section 23, Township 5 South, Range 1 (~~East~~ <sup>west</sup>)

Map Color Coding:

Basin Stream – Blue

Named Main Stream off Basin Stream – Yellow

Named Stream off Main Stream – Green

Unnamed Trib (1, 2, 3, 4, etc.) – Pink

Unnamed Trib to Unnamed Trib (A, B, C, etc.) – Orange

Unnamed Trib to Unnamed Trib to Unnamed Trib (1, 2, 3, etc.) – Purple

---

Stream No. 3820 (computer assigned - entered by data entry staff)

Date Entered 4/1/2015 By UM



1320 Research Park Drive  
Manhattan, Kansas 66502

Jackie McClaskey, Secretary

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

March 31, 2015

PATRICK LAMBERT  
2715 UNION ROAD  
CLYDE KS 66938

RE: Application  
File No. 49350

Dear Sir or Madam:

Your application for permit to appropriate water in 2-5S-1W in Cloud 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) 564-6643. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

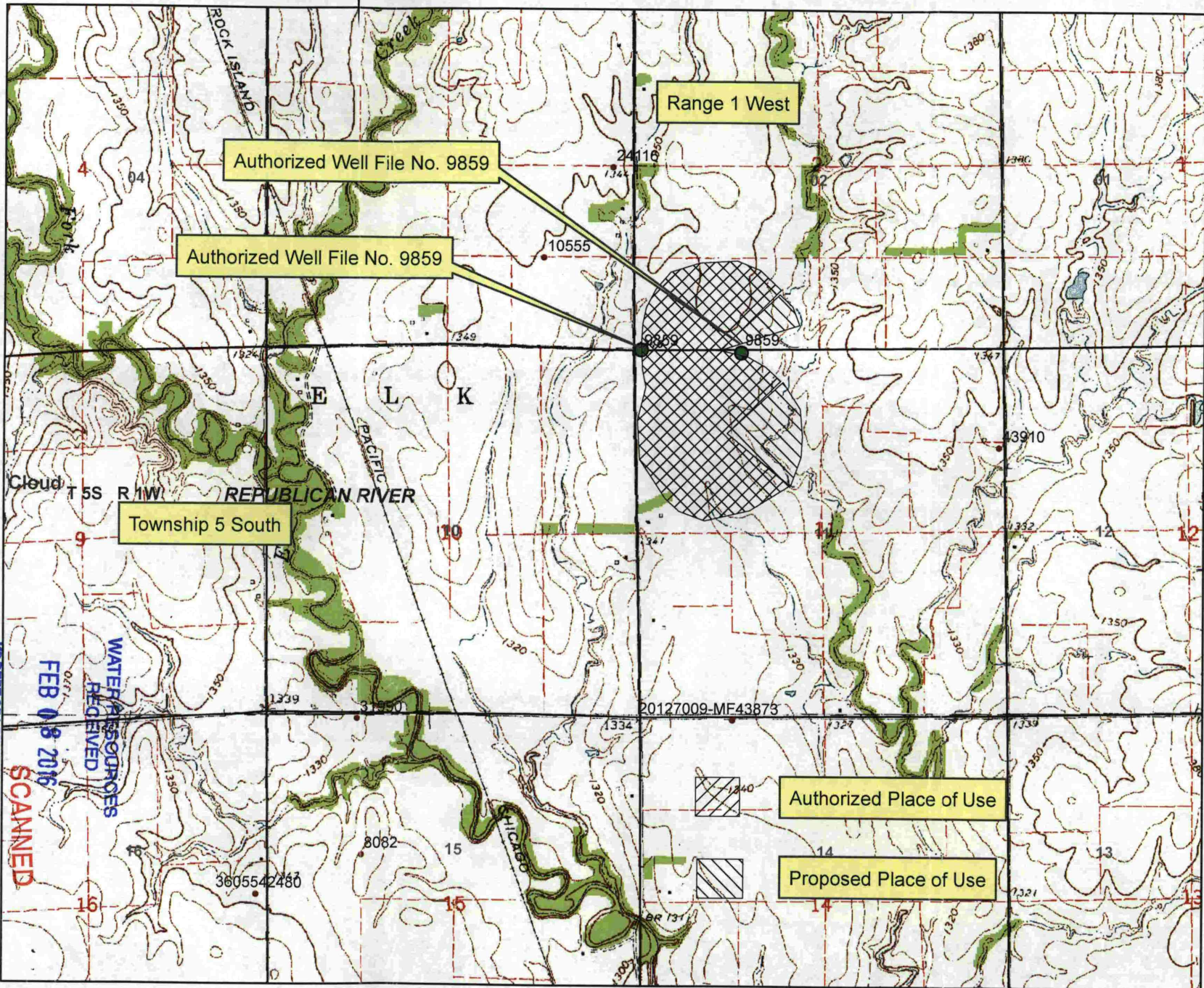
Sincerely,

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

BAT: dlw  
pc: STOCKTON Field Office  
GMD

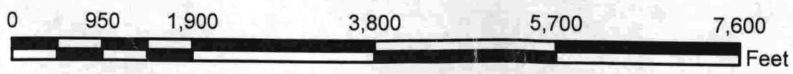
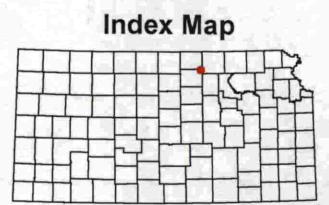
SCANNED





WATER RESOURCES  
RECEIVED  
MAR 26 2015  
KS DEPT OF AGRICULTURE

KS DEPT OF AGRICULTURE  
WATER RESOURCES  
RECEIVED  
FEB 08 2016  
SCANNED



*Pat Lambert*

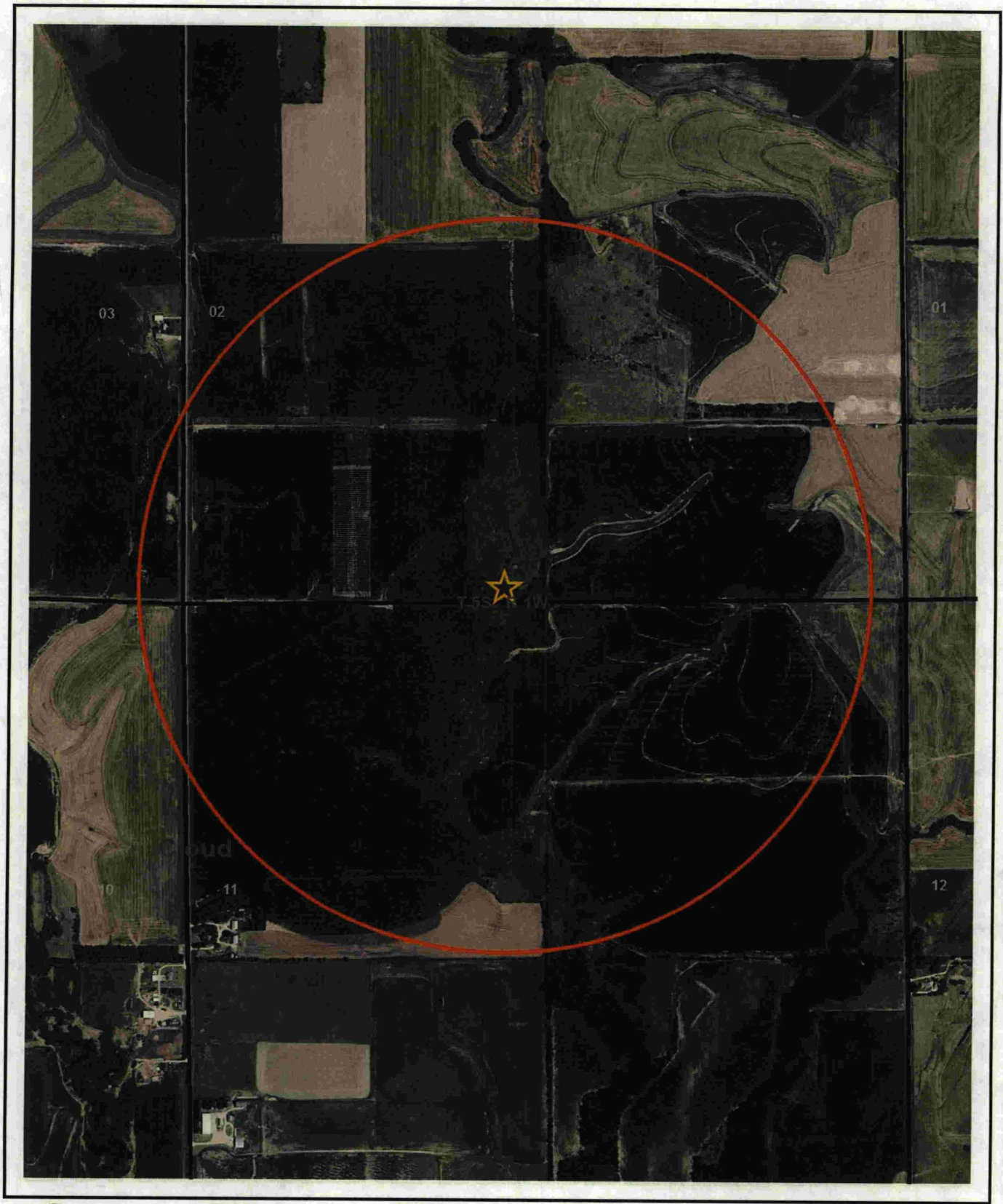
SCANNED

This map was created by WIMAS on 3/2/2015 11:19:04 AM

1:24,000



File No. 49,350



0 0.25 0.5 0.75 1 Miles



AJW/DWR  
Date: 2/19/2016

File No. 49,350



0 0.25 0.5 0.75 1 Miles



AJW/DWR  
Date: 2/19/2016

SCANNED

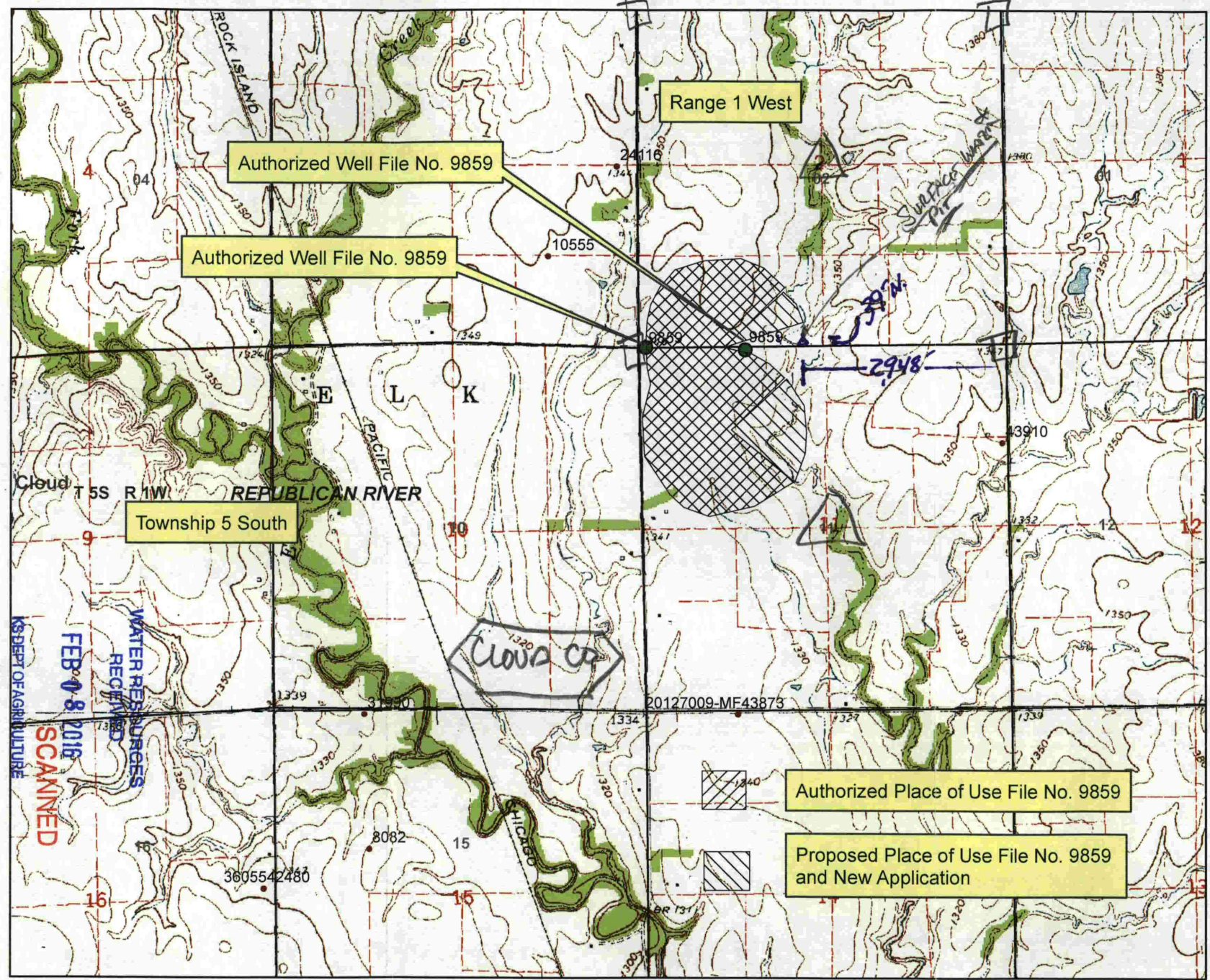


SCANNED

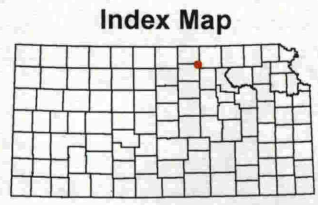
WATER RESOURCES RECEIVED

MAR 23 2015

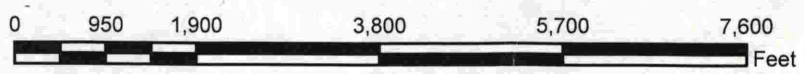
KS DEPT OF AGRICULTURE



KS DEPT OF AGRICULTURE  
FEB 08 2015  
WATER RESOURCES RECEIVED  
SCANNED



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(X) 45/Down