## ARTMENT OF AGRICULTURE SION OF WATER RESOURCES

DEPARTMENT OF AGRICULTURE DIVISION OF WATER RESOURCES GARDEN CITY FIELD OFFICE 2508 JOHNS STREET GARDEN CITY, KS 67846-2804



Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov



June 5, 2018

Southwest Kansas Groundwater Management District No 3 409 Campus Drive, Suite 106 Garden City KS 67846

Re: Water Right file number 10398 D3

Dear Mr. Norquest;

Duane Lambert has applied to relocate the well authorized by the above water right number. There is one neighboring well within ½ mile of the requested.

We are delaying action for 15 days on the change application to allow you time to review and provide a recommendation if you feel one is warranted.

Thank you and as always feel free to call or write us at any time.

Sincerely;

Thomas P Makens

TPM:tpm

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE DIVISION OF WATER RESOURCES GARDEN CITY FIELD OFFICE 2508 JOHNS STREET GARDEN CITY, KS 67846-2804



PHONE: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D. JACKIE McClaskey, Secretary of Agriculture

May 18, 2018

VFR INC PO BOX 487 PLAINS KS 67869

RE: Water Right 10398 D3

Dear Mr. & Mrs. Eakes:

This is to advise you that Duane Lambert has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced application.

You can find the complete application posted by water right file number as referenced above at <a href="https://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices">www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices</a>

You are notified on this proposed change in point of diversion so that you may furnish this office with any comments or other information you may want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

Thomas P. Makens

Environmental Scientist III

pc: GMD#3

		<b>\</b>	
	•		

Submit completed application to: Kansas Department of Agriculture Division of Water Resources. Field Office for your area. Call for address:

Topeka -- (785) 296-5733 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 http://agriculture.ks.gov/dwr

# DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



#### STATE OF KANSAS

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended. Fee Schedule is on the third page of this application form.

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																	10:	790	m
						F	ile No	. <u>1039</u>	8 D3								MAY	087	2018
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	9115 R																		
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	of Section, Township	32	South, Range	32	W,
	in <u>Seward</u> County, Kansas, <u>2548</u>	_ feet North _	36 feet West of S	outheast corner o	of section.
	Authorized Rate Authorized Quantity _		Depth of well	(feet)	
	(DWR use only: Computer ID No. 6 GPS	3	feet North	feet West	)
	☐This point will not be changed ☐This point will be change	d as follows: [	☐ No change, point better de	scribed with GPS a	ıs follows:
	Proposed point of diversion: (Complete only if change	<u>e is requeste</u>	ed or if existing point is I	<u>oetter described</u>	by GPS)
	One in the Quarter of the	nw	Quarter of the	se	Quarter
ĺ	of Section, Township	32	South, Range	32	W,
	in Seward County, Kansas, 2587	_ feet North _	2021 feet West of S	outheast corner o	of section.
	Proposed Rate Proposed Quantity		Proposed well depth (	feet)	·
	This point is: ☐ Additional Well ☐ Geo Center List ot	her water rigl	nts that will use this point _		
_					
6. [	Presently authorized point of diversion:				
	One in the Quarter of the		Quarter of the		Quarter
	of Section, Township				
	in County, Kansas,	feet North	feet West of S	outheast corner c	of section.
	Authorized Rate Authorized Quantity		Depth of well	(feet)	
	(DWR use only: Computer ID No. GPS	3	feet North	feet West	)
	☐This point will not be changed ☐This point will be changed				•
	Proposed point of diversion: (Complete only if change		= :		
	One in the Quarter of the				
	of Section, Township				
	in County, Kansas,				
	Proposed Rate Proposed Quantity				
	This point is: Additional Well Geo Center List of			•	
7.	The changes herein are desired for the following reasons (please be specific)		North 200 100 0	100 200 	300 119 
8.	If a well, is the test hole log attached? 🛛 Yes 🔲 No	200	-1 + 1 + 1 =		200
9.	The change(s) (was)(will be) completed by?		· <del>_</del>		4
	May 30, 2018	100 E	-   +   +   =	+   +	₫,,,,
	May 001 20 10	TO E	' ' ' ' = =	1 1 1 1	100
10.	If the point of diversion is a well:	Ē			
	(a) What are you going to do with the old well?	West 0 글	+4 1111 1111 1114 1111  <b>\$</b>  111	[1144][144][144][144]	++ <u>∓</u> 0 East
			<u> </u>		
	plug	100		+   +	100
	(b) When will this be done? 2018	100	!		=======================================
		E	* ******* ******** *******************		=
11.	Groundwater Management District recommendation attached	? 200	-1 + 1 + 1 =	+   +	200
	☐ Yes				=
40	A a sint and thru to me	Ē		1,,,,1,,,,,1,,,,1,,,,1,,,,1,,,,1,,,,1,,,,	<u>.</u>
12.	Assisted by tpm	300		100 200	300
13a	.If the proposed point of diversion will be relocated <u>more than 3 feet but within 2,640 feet</u> of the existing point of diversion, atta a topographic map or aerial photograph. For groundwa sources, show all wells (including domestic) within one-half n of the proposed point of diversion and the names and mail addresses of the owners. For surface water sources, show names and addresses of the landowner(s) one-half n downstream and one-half mile upstream from your prope	ach 13b.If the ster of the hile diagr ing divers the abov hile diver		n, indicate its loc ition to the existi he "X" in center	ithin 300 feet ation on the ing point of of diagram

lines

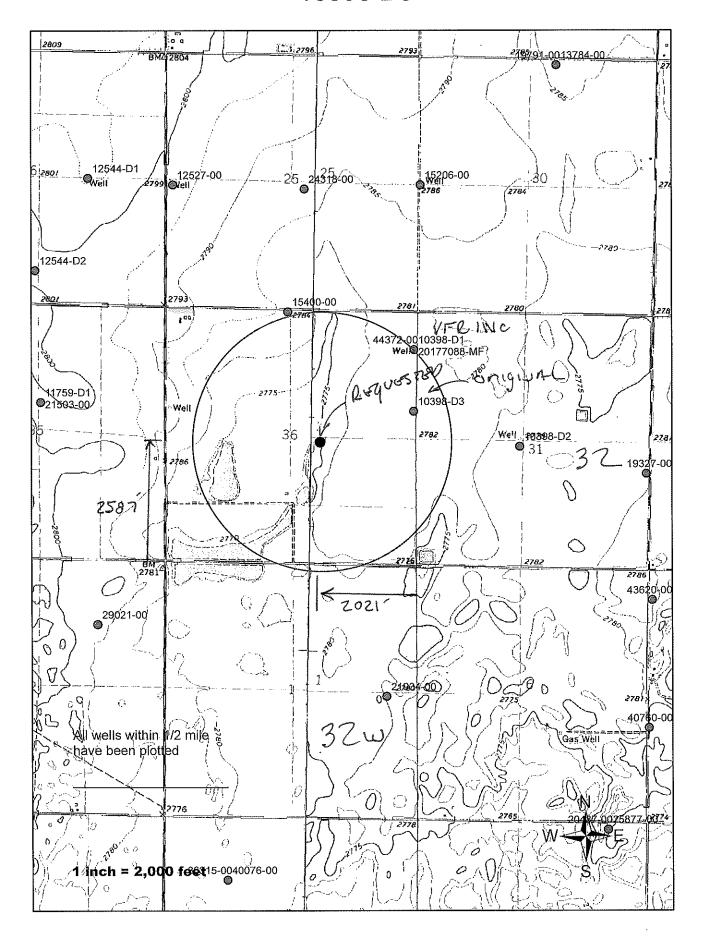
Presently authorized point of diversion:

14. If the	proposed groundwater point of diversion is 300 e	or fewer feet fro	m the exi	sting point of	of diversion, complete	e the following:
(a)	Does the undersigned represent all owners of the ☐ Yes ☐ No (If no, all owners must			ce(s) of use	identified in this app	lication?
	Will the ownership interest of any owner of the caffected if this application is approved as requestory. ☐ Yes ☐ No (If yes, all owners must	ed?		e(s) of use	identified in this app	lication be adversely
	lf this application is not approved expeditiously, w ☑ Yes   ☐ No   (If no, all owners must			amage to pr	operty, public health	or safety?
or a char	olication proposes a surface water change in poin ge in place of use, the application must be signe tach notarized statement authorizing representati	d by all owners				
age and their be	verify, being first duly sworn upon my o I the owner, the spouse of the owner, or a half, in regards to the water right(s) to w ed in this application are true, correct and	duly author hich this app complete.	ized age olication	nt of the opertains.	owner(s) to make I further verify t	this application on
Dated at	GARDENCITY	_, Kansas, this	ን 🗠	day of	MAY	20 18
Dated at		_, r\aiisas, tiiis	<u></u>	day or		
X A	Jeon Loralis		X			
	(Owner)				(Spouse)	
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	(Owner)				(Spouse)	
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State of	CALLED SS					
County of						and advent of
l here	by certify that the foregoing application wa	s signed in	my prese	ence and	sworn to before n	ne this <u>ITH</u> day
· · · · · · · · · · · · · · · · · · ·		HOTARY PUBLIC - SI CATHERINE		Ca	theren Re	cret/
My Com	mission Expires <u>91818</u>	my rept. Enty			Notary Public	
accurate i	MPLETE APPLICATIONS WILL BE PROCESSED. To nformation; maps, if necessary, must be included; signapriate fee must be paid.	be complete, all atures of all the a	of the app ppropriate	licable portion owners' must	ns of the application for the affixed to the applic	m must be completed with ation and notarized; and
• •	•	FEE SCHEDU	II F			
forth in ti	olication to change the place of use or the point on ne schedule below: Make checks payable to: Ka 1) Application to change a point of diversion 300 2) Application to change a point of diversion moi 3) Application to change the place of use	f diversion unde insas Departm ) feet or less re than 300 fee	er this sec	riculture 		\$100 \$200

#### SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	visions of the Kansas Water Appropriation Law, K.S.A. 82a	'08b, as amended, and K.A.R. 5-5-1, <i>et seq.</i> and other applicable-701 et. seq., and rules and regulations promulgated thereunde sin, this Summary Order does not change the terms, conditions an
1.	A change application was received on	requesting that the place of use and / or point on the repulsion requesting that the application.
2.	On and after the effective date of this summary order, the at the topographic map accompanying the application to ch	uthorized place(s) of use shall be located substantially as shown on ange the place of use.
3.	The change in point of diversion shall not impair existing rig previously authorized. The point of diversion authorized radius of the authorized point(s) of diversion.   Applica	phts and shall be limited to the same source or sources of water a by this summary order shall be located within a 300 <b>foo</b>
4.	The point(s) of diversion described herein is administrative Positioning System (GPS), as described in the application	/ely corrected to be more accurately described using the Globa n. ☐ Applicable ☐ Not Applicable
5.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion.	be located more than 2640 feet from the previous
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a	well with a diversion rate of 100 gallons per minute or more, a tub ents shall be installed, operated and maintained in accordance wit
7.	December 31, 2018, or before the first use of water, which and maintained in accordance with K.A.R. 5-1-4 through	roperly install an acceptable water flow meter on or befor hever occurs first. The water flow meter shall be installed, operate 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.F ading of the water flow meter and the total quantity of water diverte and of each calendar year.
8.	Installation of the works for diversion of water shall authorized extension of time. By March 1, 2019 the application has been completed, on the form provided by Applicable Not Applicable	be completed on or before December 31, 20 <u>18</u> , or within an licant shall notify the Chief Engineer that construction of the work by the Chief Engineer, as required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the requ	uired notice. ☐ Applicable ☐ Not Applicable
10.	with an in-line, automatic, guick-closing check valve capa	foreign substance will be injected into the water shall be equippe able of preventing pollution of the source of the water supply. Th t in accordance with K.A.R. 5-3-5c.  ☐ Applicable  ☐ Not Applicabl
11.	Additional Conditions are attached.	
12.	water appropriated under the above-referenced file num limitations, as amended and/or supplemented by this Suppropriation Law and the Rules and Regulations prom	A.R. 5-5-14, all of the owners of the authorized place(s) of use of the are responsible for compliance with its terms, conditions an immary Order, and with applicable provisions of the Kansas Wate ulgated thereunder. Failure to comply with these provisions manended, and/or the suspension or revocation and dismissal of the ions authorized by law.
į	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
you Eng	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901, may request an evidentiary hearing before the Chief ineer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be	By: Duly Authorized Designee of the Chief Engineer
filed	l within 15 days of service of this Order and a request for hinistrative review by the Secretary must be filed within 30	Duly Authorized Designee of the Chief Engineer
day	s pursuant to K.S.A. 77-531. Any request for administrative ew must state a basis for review pursuant to K.S.A. 77-527.	(Print Name):
File	any request with Kansas Department of Agriculture,	Date of Issuance:
66Š	al Ďivision, 1320 Research Park Drive, Manhattan, KS 02. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.	State of Kansas )
	For Use by Register of Deeds	) SS County of )
		Acknowledged before me on
		by
		Signature:Notary Public
		My commission expires:(Notary Seal)
		(Notary Seal)

### 10398 D3



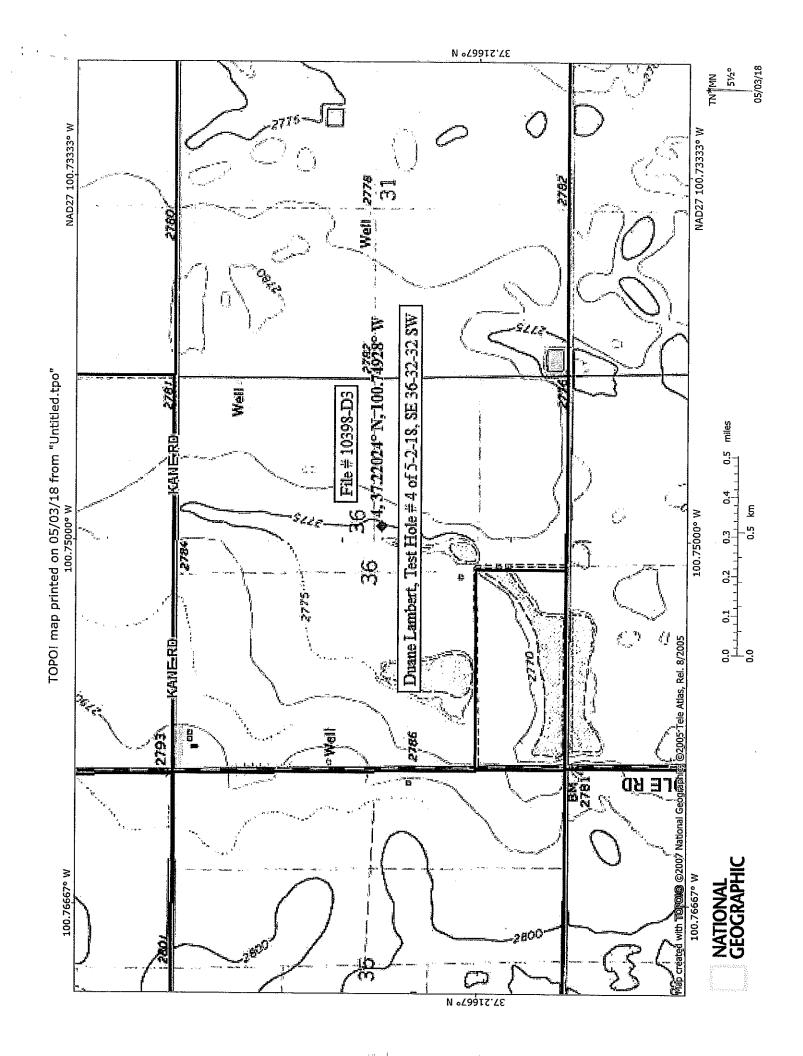
3795 W. Jones Ave. Garden City, KS 67846 PH: 620-277-2389



PÓ Box 639
Garden City, KS 67846
Fax: 620-277-0224

DUANE LAMBERT 620-629-1208

Customer	Name:	Duane	Lamb	ert	WO#: <u>13674</u>	Date: 5-2-/8
Street Add			115 R	UADF	Test#: 4	E LOG: Yes
City, State County:	<b>!</b>	<u>, Kı</u>	TO KAZ	K3 67859	Driller: Dale Gar	โดย
County:	Seward	_ Quarter	: <u>SE</u>	Section: 36	Township: 32	Range: 3.2
Location:				GPS	i: <u>N37,22024</u> W100.	.74928
Rig #:	10002		-	Elevation: <u>2767</u> °	_Static WL: <u>246</u>	Estimated?
		•		and the second second	Proposed Well Denth	S & 3
·		<u>-</u>		WELLLOCA	770N	20'SUNIA
		Footage				
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<u>.                                    </u>	0		2	Top Soil		
	2		35	Top Soil Brown Sondy Clay	•	
	35		160	Sand fine to mad	Course Small gravel	w/comple clay ledges
	160		234	Sand fine to med	wifer clay stoing	evs
	234		242	Sand fine to made	ourst	
	242		250	Brown Sandy Clay		
15	250	10	260	Sand fine to med w	· I few clay Stringer.	S
25	260	5/	3//	Sand fine to med	few countr	
20	311	34.	345	Sand fine to med w	Il couple clay stui	- 8 - CS
10	<i>345</i>	15	360	Sand fine to mad w	I many Red Clay Str	149 205
15 5	360	22	382	Sand fine to med wi	Some Red clay strin	e els
<i>5</i> ·	382	18	400	Fine Sand W/many	clay stringers	
20	400	10	410	Fine Sand	<del></del>	
] 5	410	5/	461	Sand fine to med w/.	some red clay Str.	, w c 54.5
10	461	42	503	Fire Soud w Some V	ed clay sty mare	
	503		526	Light Blue + Red Cl	411	
	526		540	Red Bed	7	
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					Super Gel	X -2
					Grout	-5
					Bent. Plug 3/4	-6
					Proma Plus	-1
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						10398-03
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#### AMERICAN TITLE & ABSTRACT SPEC., INC. **ALTA Universal ID** 217 N. Kansas Ave.

Liberal, KS 67901

File No./Escrow No.:

181128P

Print Date & Time: Officer/Escrow Officer:

March 29, 2018 at 11:10 AM

Settlement Location:

**Property Address:** 

Road 16

Kismet, KS 67859

Buyer: Seller:

Duane D. Lambert Living Trust and dated March 5, 1999

Lender:

Celia Jolyne Massoni Beymer and Jere Max Beymer

**Settlement Date:** 

March 30, 2018

Disbursement Date: March 30, 2018

	Seller	Des	scription	Bu	yer
Debit	Credit		-	Debit	Credit
		Financial			
	\$ 461,020.00	Sale Price of Property		\$ 461,020.00	•
		Deposit			\$ 10,000.0
		Prorations/Adjustn	nents .		
\$ 59,38		County Taxes 01/01/18 to 03/30/	18		\$ 59.3
		Loan Charges to			**************************************
					`
	and the second s	Other Loan Charges		3. Th	
		Impounds  Title Charges & Esc	row / Settlement Ch	arges	
		INC. Coverage: \$ 461,	TTLE & ABSTRACT SPE	\$ 1,139.50 EC.,	
		Title - SEARCH FEE	to AMERICAN TITLE & ABSTRACT SPEC., INC.	\$ 200.00	
\$ 200.00	٠	Title - Closing Fee	to AMERICAN TITLE & ABSTRACT	\$ 200.00	



	Seller				E	Buyer
Debit	Credit				Debit	Credit
				SPEC., INC.		
	index of a literature of the state of	Commission				
\$ 32,271.40		Commission	to	Mossy Oak Properties of the Heartland		
		Government Recordi	ng ai	nd Transfer Char	ges	
		Recording Fees		Register of Deeds	\$ 38.00	
		Deed:\$38.00 Mortgag	ge:\$0	.00		
	A CONTRACTOR OF THE PROPERTY O	Payoffs		· · · · · · · · · · · · · · · · · · · ·		
	and the second of the second o	Miscellaneous				
\$ 25.00		Wiring Fee - proceeds	to	AMERICAN TITLE & ABSTRACT SPEC., INC.		·
\$ 3,500.00		1031 fee	to	Davis & McCann, PA		
\$ 36,055.78 \$ 424,964.22	\$ 461,020.00	Subtotals Balance Due FROM			\$ 462,597.50	\$ 10,059.38 \$ 452,538.12
\$ 461,020.00	\$ 461,020.00	Balance Due TO TOTALS			\$ 462,597.50	\$ 462,597.50
disbursements m	ally reviewed the ALTA Set hade on my account or by ment. We/I authorize AM this statement.	tlement Statement and fin me in this transaction and ERICAN TITLE & ABSTR	furth	er certify that I have	e received a copy	of the ALTA
dated March 5, 1	999 July Washi	Berley				

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, Escrow Officer