

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

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

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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 www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices

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

5. **Presently authorized point of diversion:**
 One in the ne Quarter of the ne Quarter of the se Quarter of Section 36, Township 32 South, Range 32 W, in Seward County, Kansas, 2548 feet North 36 feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
 (DWR use only: Computer ID No. 6 GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the nw Quarter of the nw Quarter of the se Quarter of Section 36, Township 32 South, Range 32 W, in Seward County, Kansas, 2587 feet North 2021 feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

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

7. The changes herein are desired for the following reasons?
 (please be specific) _____
 old well needs to be replaced _____

8. If a well, is the test hole log attached? Yes No

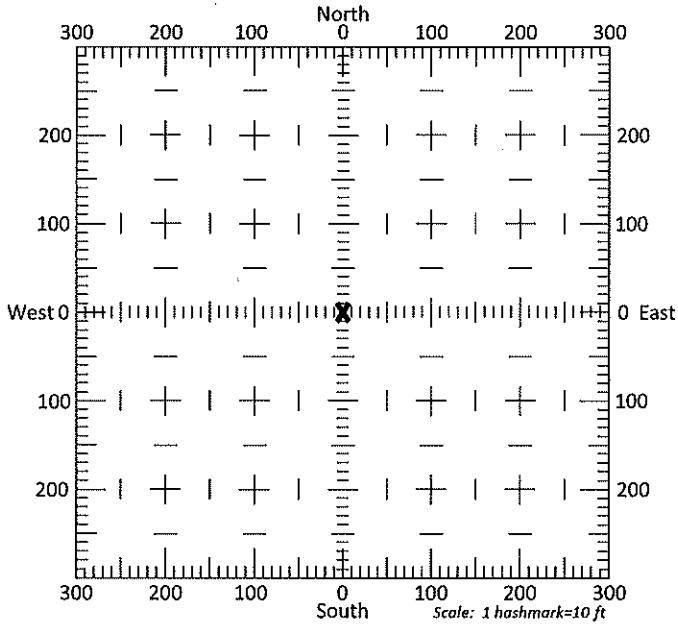
9. The change(s) (was)(will be) completed by?
 May 30, 2018 _____

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
 plug _____
 (b) When will this be done? 2018 _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by tpm _____

13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines



13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:

- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?
 Yes No (If yes, all owners must sign this application.)
- (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at GARDEN CITY, Kansas, this 7th day of MAY, 2018.

X Drew Lantz
(Owner)

X _____
(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of FINNEY } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 7th day of MAY, 2018.



Catherine Reinert
Notary Public

My Commission Expires 9-18-18

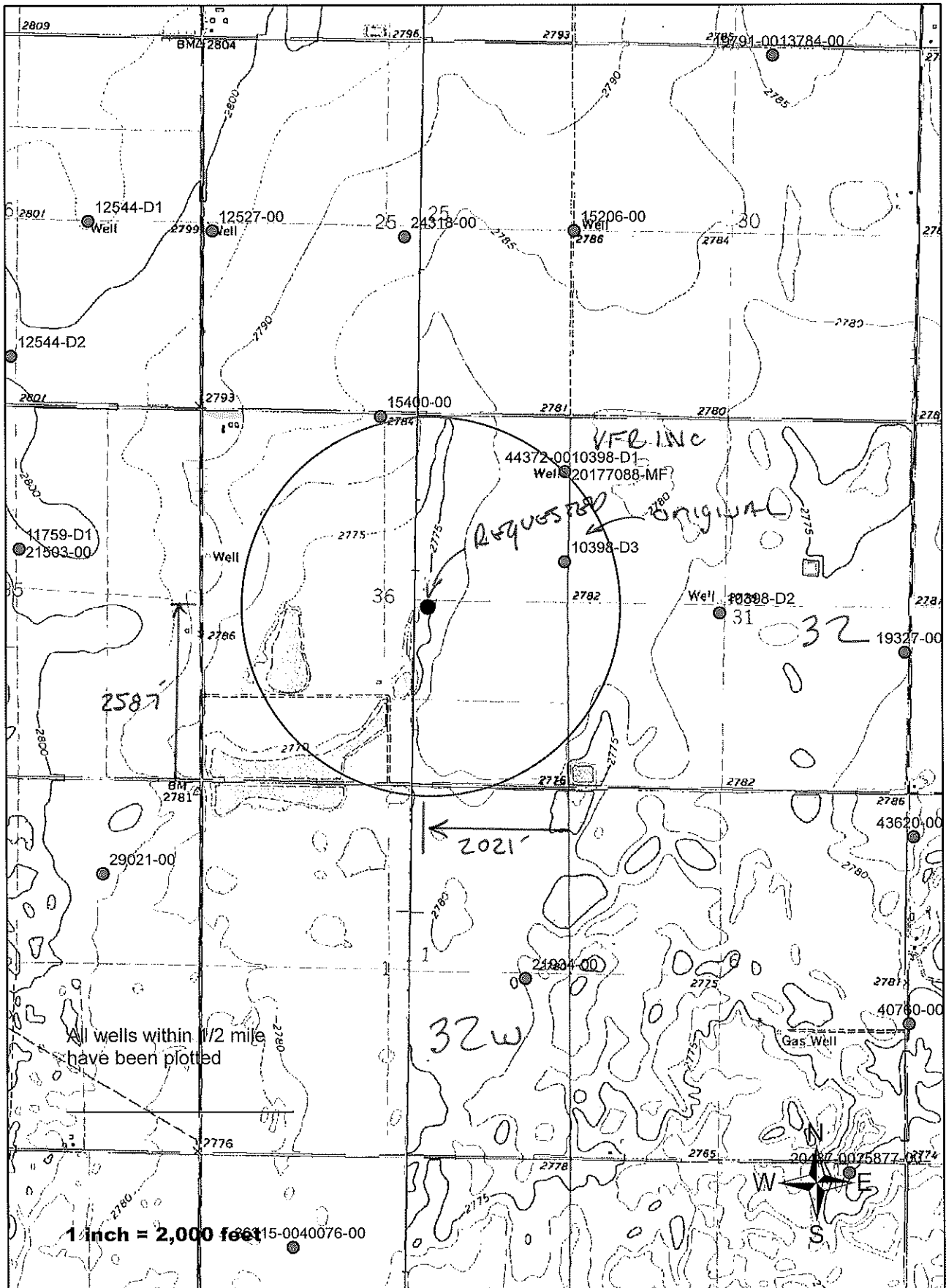
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

FEE SCHEDULE

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

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

10398 D3



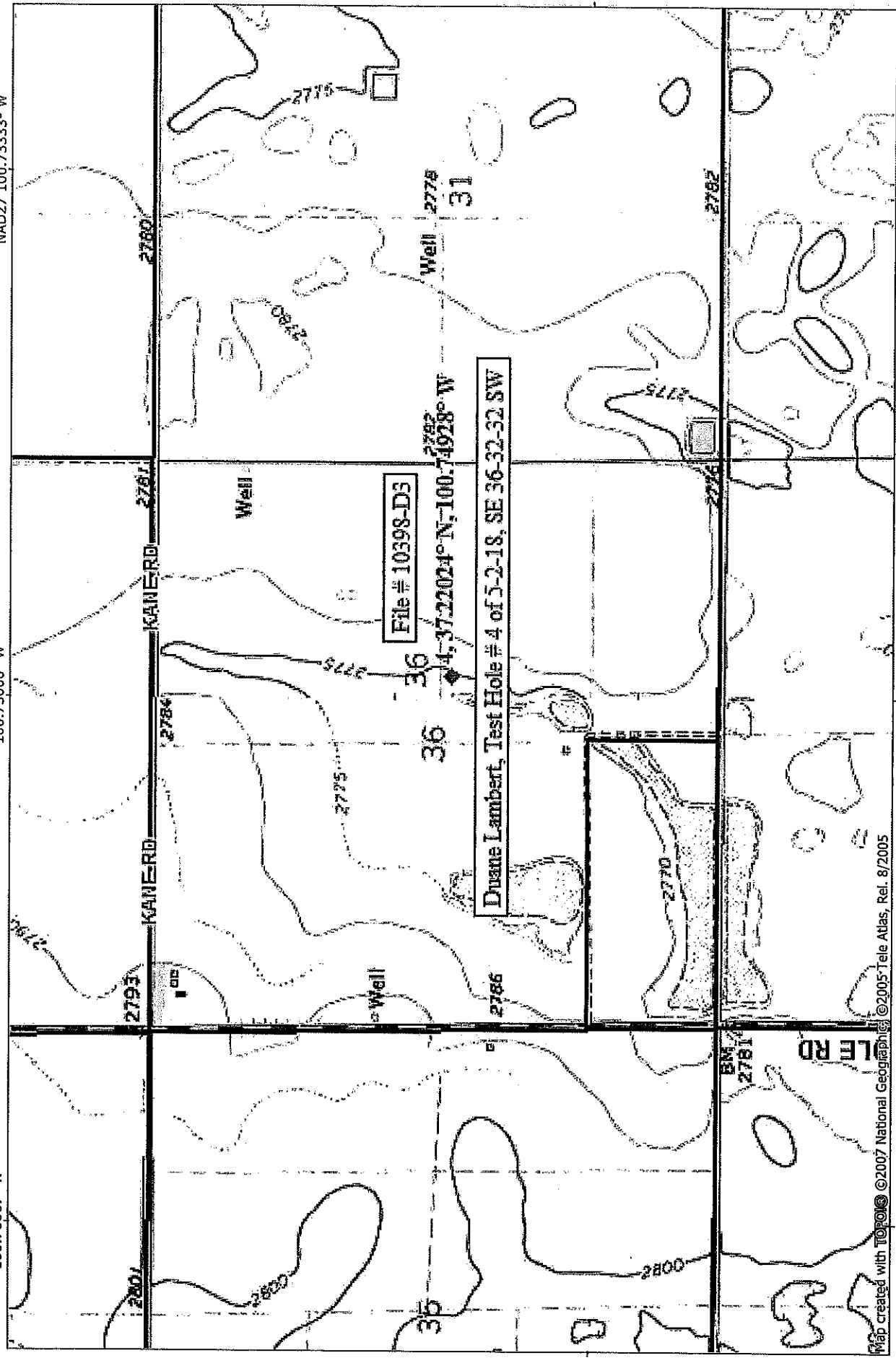
100.76667° W

100.75000° W

NAD27 100.73333° W

37.21667° N

37.21667° N

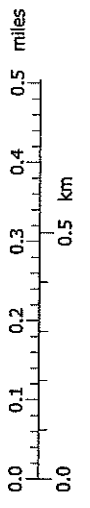


Map created with **TOPO!** ©2007 National Geographic ©2005 Tele Atlas, Rel. 8/2005

100.76667° W

100.75000° W

NAD27 100.73333° W



TN MN

5 1/2°

05/03/18

AMERICAN TITLE & ABSTRACT SPEC., INC.
ALTA Universal ID
217 N. Kansas Ave.
Liberal, KS 67901

File No./Escrow No.: 181128P
Print Date & Time: March 29, 2018 at 11:10 AM
Officer/Escrow Officer:
Settlement Location:
Property Address: Road 16
Kismet, KS 67859
Buyer: Duane D. Lambert Living Trust and dated March 5, 1999
Seller: Celia Jolyne Massoni Beymer and Jere Max Beymer
Lender:
Settlement Date: March 30, 2018
Disbursement Date: March 30, 2018

Seller		Description	Buyer	
Debit	Credit		Debit	Credit
Financial				
	\$ 461,020.00	Sale Price of Property	\$ 461,020.00	
		Deposit		\$ 10,000.00
Prorations/Adjustments				
\$ 59.38		County Taxes 01/01/18 to 03/30/18		\$ 59.38
Loan Charges to				
Other Loan Charges				
Impounds				
Title Charges & Escrow / Settlement Charges				
		Title - Owner's Title Insurance (optional) to AMERICAN TITLE & ABSTRACT SPEC., INC. Coverage: \$ 461,020.00 Premium: \$ 1,139.50	\$ 1,139.50	
		Title - SEARCH FEE to AMERICAN TITLE & ABSTRACT SPEC., INC.	\$ 200.00	
\$ 200.00		Title - Closing Fee to AMERICAN TITLE & ABSTRACT	\$ 200.00	

ALTA Settlement Statement Cash - Continued

Seller		Buyer	
Debit	Credit	Debit	Credit
			SPEC., INC.
Commission			
\$ 32,271.40	Commission	to Mossy Oak Properties of the Heartland	
Government Recording and Transfer Charges			
	Recording Fees	to Register of Deeds	\$ 38.00
	Deed:\$38.00 Mortgage:\$0.00		
Payoffs			
Miscellaneous			
\$ 25.00	Wiring Fee - proceeds	to AMERICAN TITLE & ABSTRACT SPEC., INC.	
\$ 3,500.00	1031 fee	to Davis & McCann, PA	
\$ 36,055.78	\$ 461,020.00	Subtotals	\$ 462,597.50
\$ 424,964.22		Balance Due FROM	\$ 10,059.38
\$ 461,020.00	\$ 461,020.00	Balance Due TO	\$ 452,538.12
		TOTALS	\$ 462,597.50

Acknowledgement

We/I have carefully reviewed the ALTA Settlement Statement and find it to be a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction and further certify that I have received a copy of the ALTA Settlement Statement. We/I authorize AMERICAN TITLE & ABSTRACT SPEC., INC. to cause the funds to be disbursed in accordance with this statement.

Duane D. Lambert
 Duane D. Lambert Living Trust

dated March 5, 1999

Celia Jolyne Massoni Beymer
 Celia Jolyne Massoni Beymer

Gene Max Beymer
 Gene Max Beymer

Renee Haralson
 Renee Haralson
 Escrow Officer

