

Garden City Field Office
4532 W. Jones, Suite B
Garden City, KS 67846



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

Mike Beam, Secretary

Laura Kelly, Governor

June 10, 2022

THOMAS L LAHEY ET AL
2711 ROAD Z
MOSCOW, KS 67952-5246

RE: Filed Office Application for Change
Water Right, File No. 36263

Dear Sir or Madam:

Enclosed is the order executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number and meet current specifications. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

Since the order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

The abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

A handwritten signature in blue ink that reads "Austin J. McColloch".

Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc: David & Angela Lahey
GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this 10th day of June, 2022, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File Nos. 36,263 dated 10th day of June, 2022 was mailed postage prepaid, first class, US mail to the following:

THOMAS L LAHEY ET AL
2711 ROAD Z
MOSCOW, KS 67952-5246

Pc:

DAVID T & ANGELA J LAHEY
1920 ROAD BB
MOSCOW, KS 67952-5245

GROUNDWATER MANAGEMENT DISTRICT NO. 3



Division of Water Resources Staff

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.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

File No. 36263

RECEIVED

4:05 pm
 MAY 31 2022

Garden City Field Office
 Division of Water Resources

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is: Groundwater Surface water

2. Name and address of Applicant: THOMAS L LAHEY ET AL

2711 ROAD Z, MOSCOW, KS 67952-5246

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: TOM L LAHEY

Same

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: Same

ADDRESS: _____

(If there is more than one landowner, attach supplemental sheets as necessary.)

| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES |
|------|------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| | | | | | | | | | | | | | | | | | | | |

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: _____

ADDRESS: _____

(If there is more than one landowner, attach supplemental sheets as necessary.)

| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES |
|------|------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| | | | | | | | | | | | | | | | | | | | |

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 5-31-22 Check # 001434

5. **Presently authorized point of diversion:**
 One in the SW Quarter of the NW Quarter of the SE Quarter of Section 5, Township 31 South, Range 35 W, in SV County, Kansas, 1600 feet North 1980 feet West of Southeast corner of section.
 Authorized Rate No change Authorized Quantity No change Depth of well _____ (feet)
 (DWR use only: Computer ID No. 2 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 5, Township 31 South, Range 35 W, in SV County, Kansas, 2590 feet North 2539 feet West of Southeast corner of section.
 Proposed Rate No change Proposed Quantity NO change Proposed well depth (feet) 480
 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) loss of production

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

9. The change(s) (was)(will be) completed by?

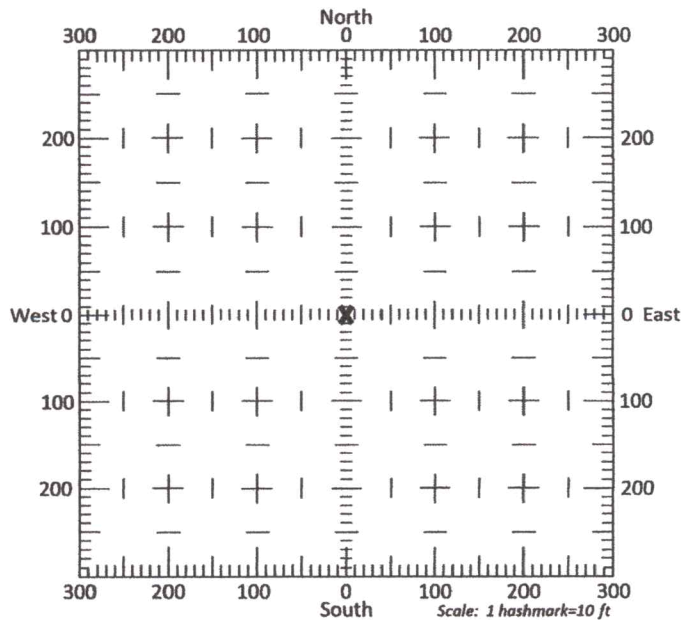
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by mdf/GCFO

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.)

WR 36263



| | |
|--|--|
| | |
| | |

Test Hole Drilling Log

CUSTOMER: TOM LAHEY **DATE:** 4-23-22

ADDRESS: _____ **PHONE NUMBER:** _____

TEST HOLE # 1 **DRILLER:** Charles Turner **E-LOG:** Yes

GPS LOCATION: 37.3800, -101.1493 **COUNTY:** Stevens **QUARTER:** NW NW NW SE

SECTION: S5 **TOWNSHIP:** T31S **RANGE:** R35W

TOTAL DEPTH: 480' **TOTAL PAY:** 195'

Description of the strata, from the surface to the total depth.

(Example: 80-100, 20: Sand; Footage is from 80-100 feet, pay = 20. Sand is the strata description)

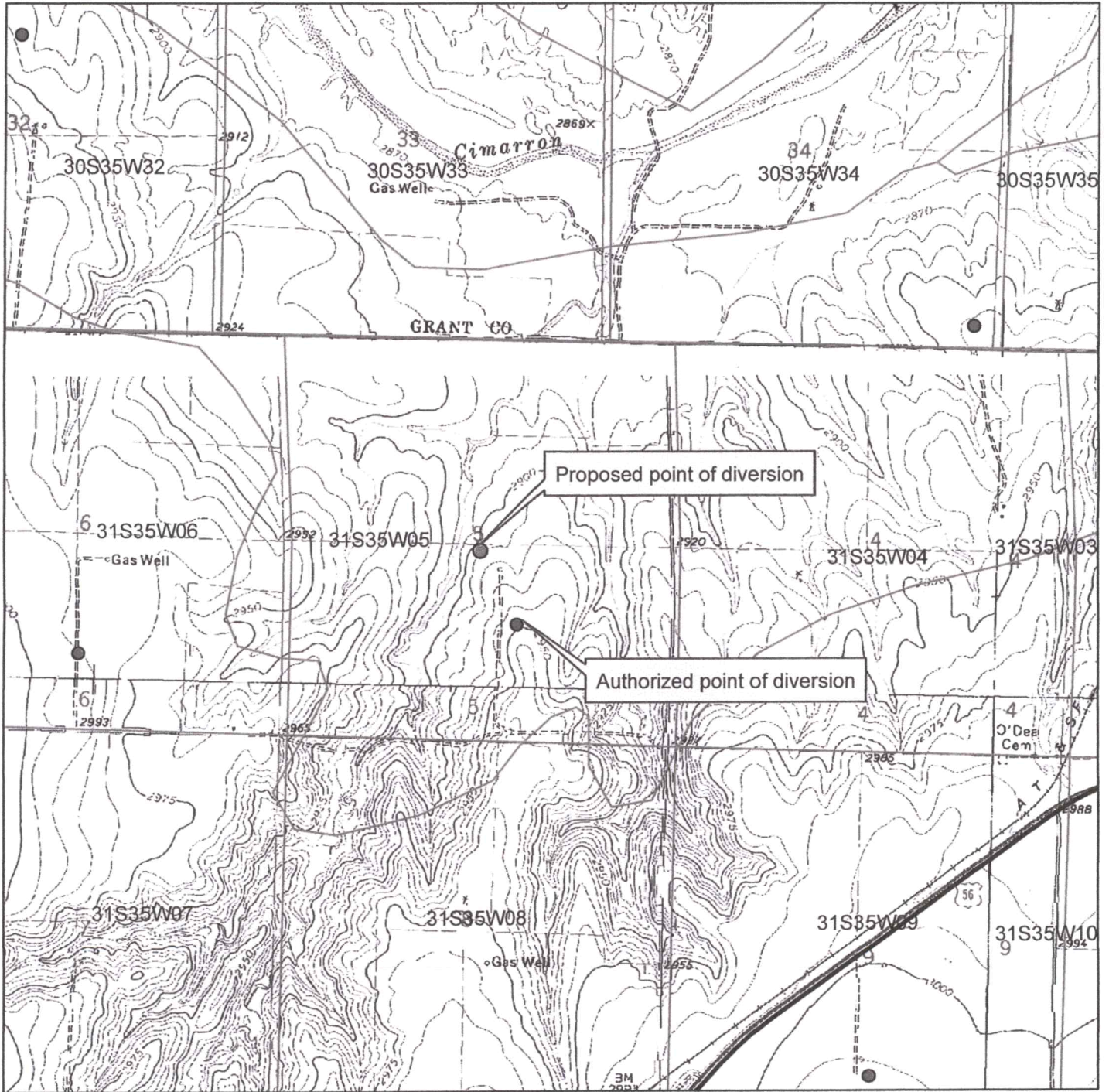
| | |
|--|--|
| 0-4: Top Soil | |
| 4-55: Sand and cobblestone with clay streaks | |
| 55-73: Sand, clay mix with cobblestone streaks | |
| 73-95: Medium to coarse sand | |
| 95-100: Fine sand, clay mix with cobblestone streaks | |
| 100-130: Fine sand | |
| 130-200: Fine sand, clay mix | |
| 200-305, 65: Medium to fine sand | |
| 305-445, 130: Fine sand, clay mix | |
| 445-480: Red bed | |
| | |

RECEIVED
MAY 19 2022
Garden City Field Office
Division of Water Resources

Tyler Palmer
580-716-8758
Tyler.elitedrilling@gmail.com

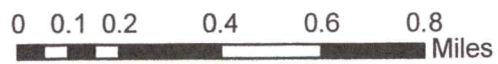
Thank you for your business!

Change in point of diversion for water right 36263



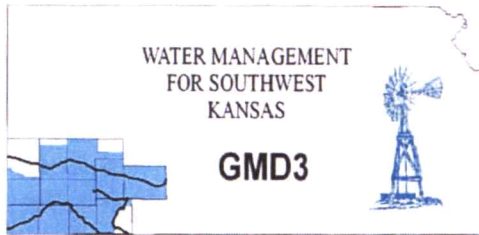
● Authorized point of diversion

● Proposed point of diversion



All wells within 1/2 mile are on this map.

X _____



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

June 9, 2022

Austin McColloch
Division of Water Resources
4532 W Jones Ave., Suite B
Garden City, Kansas 67846

RECEIVED

JUN 9 2022

**Garden City Field Office
Division of Water Resources**

RE: Application for Change in Point of Diversion
Water Right, File No. 36263

Dear Austin:

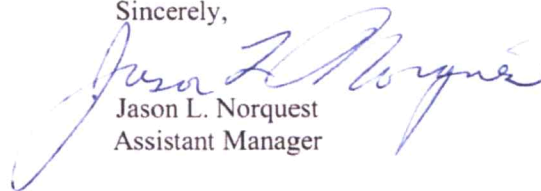
We have completed a review of the application for the above referenced water right. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to minimum spacing to neighboring wells and distance moved.

Well evaluations were not conducted to estimate possible effects of the proposal on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b, and the management program. In this case, we did not find any certified wells or active domestic wells within a mile of the proposed location that did not belong to the applicant. So it was determined that the analysis was not needed in this case.

Therefore, GMD3 sees this move as meeting current area rules and would recommend approval. If aquifer conditions change or there is a change to the water right in the future, we would be happy to evaluate the effects at that time.

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

Sincerely,

A handwritten signature in blue ink, which appears to read "Jason L. Norquest".

Jason L. Norquest
Assistant Manager

GMD3 Change Review

File No(s): 36263.

DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: Thomas L Lahey ET AL.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? .

If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-23-3

Point of diversion ID No(s) 02 being changed.

| | ft. North | ft. West | |
|-------------------|-----------|----------|-----------------------|
| Authorized PD | 1600 | 1980 | Sect 5-31-35 |
| Proposed PD | 2590 | 2539 | |
| Difference | -990 n | -559 w | |
| $a^2 + b^2 = c^2$ | 980100 | 312481 | 1136.917 foot move NW |

GPS for proposed PD: Lat: 37.3800 Long: -101.1493.

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified: No certified wells within mile found.

Name .

Address .

Zip .

Email: Phone: .

Domestic well(s) notified: active domestic well within mile is the applicant's.

Name .

Address .

Zip .

Base Acres: .

Perfected Acres: .

Irr. Return-Flow %

Stevens County

Authorized: 288AF @ 855gpm

Is a waiver needed: Move less than half mile. Spacing not an issue with no certified wells within a mile found. No analysis to run on other wells that are still active.

Recommendation: After review of all available information, it appears current area rules are met. Staff therefore recommends approval of the application.



Water Rights and Points of Diversion Within 1 mile of point defined as:

2590 Feet N and 2539 Feet W of the Southeast Corner of Section 5 Twp 31S Rng 35W
 Located at: 101.149301 West Longitude and 37.380001 North Latitude
 Both SURFACE WATER and GROUNDWATER

```

=====
File Number   Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth_Quan Add_Quan
Unit
A__ 36263 00 IRR NK G*      1131 -- SW NW SE 1600 1980 5 31 35W 2          288.00 288.00
AF
=====
    
```

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=====
Total Net Quantities Authorized:   Direct      Storage
Total Requested Amount (AF) =      .00          .00
Total Permitted Amount (AF) =      .00          .00
Total Inspected Amount (AF) =      .00          .00
Total Pro_Cert Amount (AF) =      .00          .00
Total Certified Amount (AF) =     288.00        .00
Total Vested Amount (AF) =        .00          .00
TOTAL AMOUNT (AF) =     288.00        .00
=====
    
```

An * after the source of supply indicates a pending application for change under the file number.
 An * after the ID indicates a 15 AF exemption was granted under the file number.
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
 The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1 mile of point defined as:

2590 Feet North and 2539 Feet West of the Southeast Corner of Section 5 Twp 31S Rng 35W
 Located at: 101.149301 West Longitude and 37.380001 North Latitude
 Both SURFACE WATER and GROUNDWATER
 WATER USE CORRESPONDENTS:

```

=====
File Number   Use ST SR
> TOM L LAHEY
>
> 2711 ROAD Z
> MOSCOW KS 67952
>-----
=====
    
```

Garden City Field Office
4532 W. Jones, Suite B
Garden City, KS 67846



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Fax: 620-276-9315
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Mike Beam, Secretary

Laura Kelly, Governor

June 1, 2022

GROUNDWATER MANAGEMENT DISTRICT #3
2009 E SPRUCE ST
GARDEN CITY KS 67846

Re: Request for Recommendation,
File No. 36263

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Thomas Lahey and appears to be in proper form, for your review.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendation concerning this application. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (620) 276-2901. If you wish to discuss a specific file, please have the file number ready to that I may help you more efficiently.

Sincerely,

A handwritten signature in blue ink that reads "Austin McColloch".

Austin McColloch
Assistant Water Commissioner

Enclosure

pc: