

**Kansas Department of Agriculture**  
**Division of Water Resources**  
 APPROVAL OF CHANGE APPLICATION WORKSHEET

1. File No.: <b>27561</b>		2. Status Change Date:		4. Field Office: <b>04 - Garden City</b> GMD: <b>03 - Southwest</b> Structures File No.: Filing/Priority Date: <b>11/15/2024</b> Application Complete Date:	
3. Package File No(s): <b>11476</b>					
5a. <input checked="" type="checkbox"/> Applicant <input checked="" type="checkbox"/> Owner <input checked="" type="checkbox"/> WUC <input type="checkbox"/> Address Change		Person ID <b>60258</b> Add Seq#		5b. <input checked="" type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change	
<b>MARCUS &amp; STACEY HOWE</b> <b>2373 ROAD 27</b> <b>MOSCOW, KS 67952-5211</b>				<b>THOMAS L LAHEY ET AL</b> <b>2711 ROAD Z</b> <b>MOSCOW, KS 67952-5246</b>	
5c. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change		Person ID Add Seq#		5d. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change	
6. Change No.: <b>C4</b> <input type="checkbox"/> PD <input checked="" type="checkbox"/> PU <input type="checkbox"/> UMW Base Acres: <b>160</b> Year:            Min Reasonable Q: Previous UMW: <b>Not changing</b> MDS Gauge:            Active Admin? <input type="checkbox"/> Completion/Start Date: <b>12/31/2025</b> Perfection/Expiration Date:		7. Use of Water <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water UMW: <b>IRR-Irrigation</b> UMW: UMW:			
8. Action Trail					
9. Special Conditions					
10. 5YR Allocation    Type:    Start Year:    5YR Quantity:    Base Acres: Comment:					
11. Sand & Gravel    Proj ID: <input type="checkbox"/> Active <input type="checkbox"/> Dredge <input type="checkbox"/> IND Evap <input type="checkbox"/> Jr Evap <input type="checkbox"/> Other Diversion <input type="checkbox"/> Rpt on Sr					
12. Waiver    Rule ID: <input type="checkbox"/> New    Date Requested: Applies:            Rule No.:            Justification: Rule Type: Rule SubType:					
Comments				Processed <b>11/25/2024 AM</b>	
				Reviewed	
Entered					

File No. <b>27561</b>	13. County: <b>SV</b> Basin: <b>CIMARRON RIVER</b> Stream:		
Structures File No:	Aquifer Code: <b>211 / 331</b>	Special Use Area:	

14. Points of Diversion, Rates & Quantities											Qty		Rate		Storage Qty		Storage Rate		Overlaps
PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Auth	Add	Auth	Add	Auth	Add	Auth/Add				
<b>CHK</b>	<b>86262</b>																		

15. Limitations	Type:	Quantity:	Rate:	combined with file no(s):
	Type:	Quantity:	Rate:	combined with file no(s):

16. Metering     Metering Required     Anti-Reverse Required     Seal Required    Compliance Date: 12/31/2025

17. Place of Use						NE¼				NW¼				SW¼				SE¼				Total	Owner(s)	Chg?	Overlaps		
PUSE	S	T	R	ID		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE						
<b>MOD</b>	<b>2095</b>	<b>26</b>	<b>31S</b>	<b>35W</b>	<b>3</b>		26	32	6									32	32	32	32	192	5a	<input type="checkbox"/>	**		
<b>MOD</b>	<b>7327</b>	<b>35</b>	<b>31S</b>	<b>35W</b>	<b>1</b>	40	40	40	40					32	32	32	32					288	5a	<input type="checkbox"/>	**		
<b>CHK</b>	<b>18206</b>	<b>25</b>	<b>31S</b>	<b>35W</b>	<b>2</b>										40	40						80	5b	<input type="checkbox"/>	**		
																									<input type="checkbox"/>		
																										<input type="checkbox"/>	
																										<input type="checkbox"/>	

18. Point of Diversion and Place of Use Overlaps * + # ^	** 11476 ++ ## ^^
--	----------------------------

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

November 25, 2024

MARCUS & STACEY HOWE  
2373 ROAD 27  
MOSCOW, KS 67952-5211

RE: Filed Office Application for Change  
Water Right, File Nos. 11476 & 27561

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 numbers. **Note:** this approval does not allow any single point of diversion to exceed its annual authorized quantity.

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/or 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.

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: Thomas Lahey et al.  
GMD 3

## CERTIFICATE OF SERVICE

On this 25<sup>th</sup> day of November, 2024, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 11,476 and 27,561 dated 25<sup>th</sup> day of November, 2024 was mailed postage prepaid, first class, US mail to the following:

MARCUS & STACEY HOWE  
2373 ROAD 27  
MOSCOW, KS 67952-5211

Pc:

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

GMD 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. 27561

**RECEIVED**  
 4:01 PM  
 NOV 15 2024

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: MARCUS & STACEY HOWE

2373 ROAD 27 MOSCOW KS 67952 - 5211

Phone Number: (620) 255-1879

Email address: MWH9425@YAHOO.COM

Name and address of Water Use Correspondent: SAME AS ABOVE

Phone Number: (     )

Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: MARCUS & STACEY HOWE

ADDRESS: 2373 ROAD 27 MOSCOW KS 67952 - 5211

(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	
26	31S	35W	40	40	40	40													320
35	31S	35W	40	40	40	40													160

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: MARCUS & STACEY HOWE

ADDRESS: 2373 ROAD 27 MOSCOW KS 67952 - 5211

(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	
26	31S	35W		26	32	6													192
35	31S	35W	40	40	40	40						32	32	32	32				288

<b>For Office Use Only: Code</b> <u>CPM</u> <b>Fee \$</b> _____ <b>TR #</b> <u>200.00</u> <b>Receipt Date</b> <u>11-15-24</u> <b>Check #</b> <u>3080</u>
--

5. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (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 \_\_\_\_\_ (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 \_\_\_\_\_

6. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (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 \_\_\_\_\_ (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) ADJUST ACRES TO BETTER  
FIT OPERATION

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

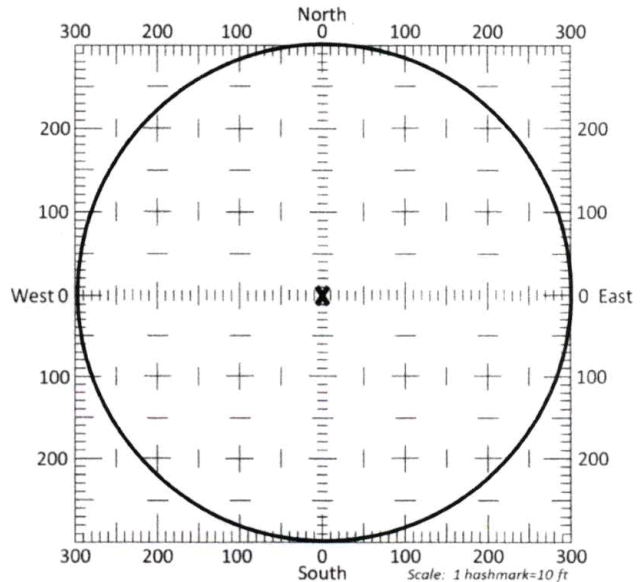
9. The change(s) (was)(will be) completed by?  
UPON APPROVAL

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

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by AM / 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 a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. **(PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)**



APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE  
SUPPLEMENTAL SHEET  
**FILE NOS. 11476 & 27561**  
MAKE ADDITIONAL COPIES AS NECESSARY

3. *Continued:* The presently authorized place of use is:

Owner of Land ---- NAME: THOMAS L LAHEY ET AL  
ADDRESS: 2711 ROAD Z MOSCOW KS 67952 - 5246

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	
25	31S	35W									40	40							80

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

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	

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

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. *Continued:* 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: THOMAS L LAHEY ET AL  
ADDRESS: 2711 ROAD Z MOSCOW KS 67952 - 5246

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	
25	31S	35W									40	40							80

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

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	

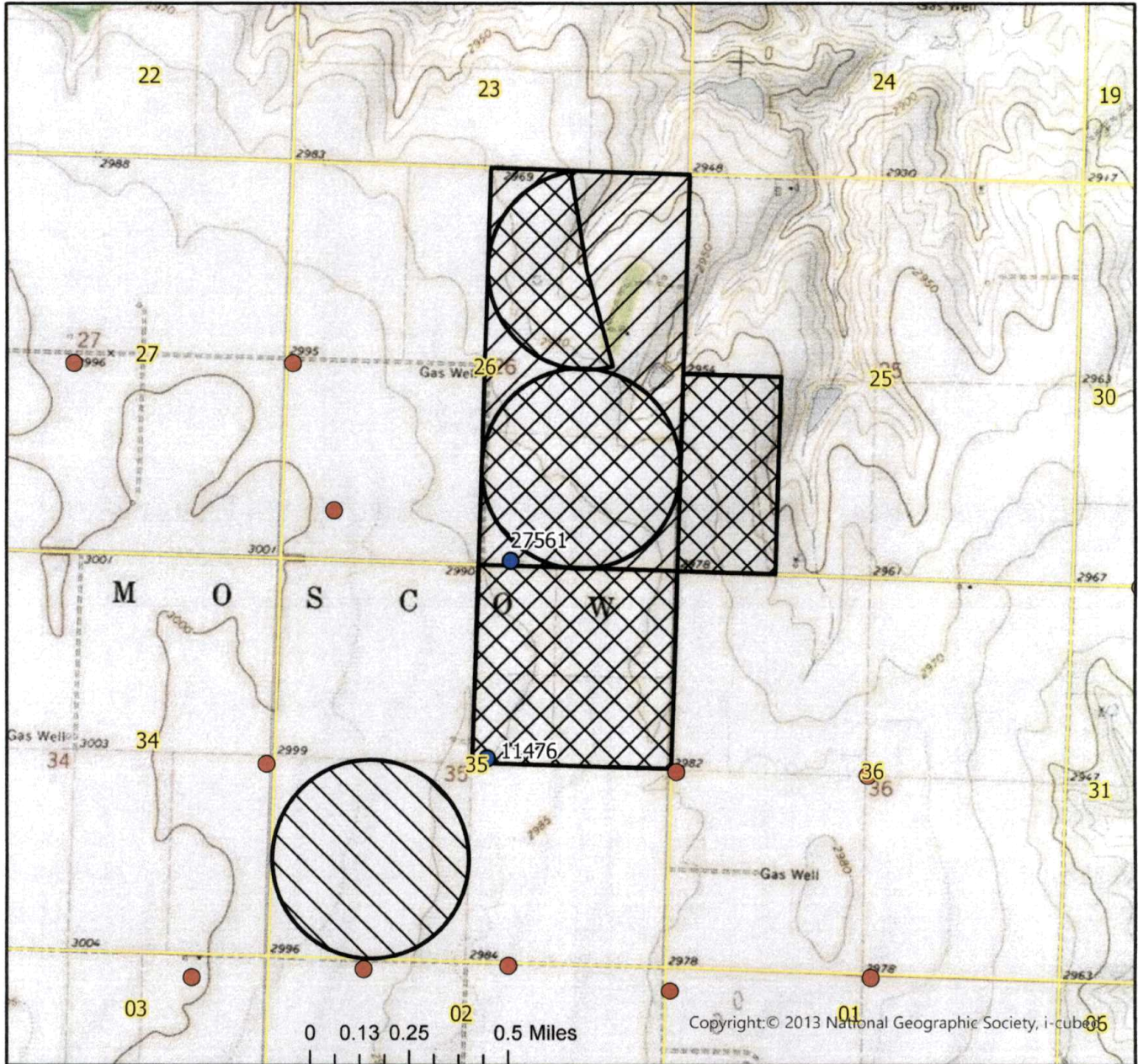
Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_






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	



# CHANGE IN PLACE OF USE WATER RIGHT, FILE NOS. 11476 & 27561

Sections 25, 26 & 35 Township 31 South Range 35 West Stevens County



-  Authorized Point of Diversion
-  Permitted Water Right
-  Domestic Well within 1/2 mile
-  Authorized Place of Use
-  Proposed Place of Use

List of owner name and addresses within 1/2 mile:



By signing below I agree that all wells, including domestic, and owners names and addresses within 1/2 mile of the proposed point of diversion have been shown on the map

(Signature)

Date

AM/GCFO  
1:24,000 Scale



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 Moscow, Kansas, this 14 day of November, 2024.


Marcus Howe  
 (Owner)  
Marcus Howe  
 (Please Print)  
Thomas L. Lahey  
 (Owner)  
Thomas L. Lahey  
 (Please Print)  
 \_\_\_\_\_  
 (Owner)  
 \_\_\_\_\_  
 (Please Print)

Stacey Howe  
 (Spouse)  
Stacey Howe  
 (Please Print)  
 \_\_\_\_\_  
 (Spouse)  
 \_\_\_\_\_  
 (Please Print)  
 \_\_\_\_\_  
 (Spouse)  
 \_\_\_\_\_  
 (Please Print)

State of Kansas }  
 County of Stevens } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 14th day of November, 2024.

My Commission Expires 9-2-2028



Melissa Taylor  
 Notary Public

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

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

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, *et seq.* and other applicable provisions of the *Kansas Water Appropriation Law*, K.S.A. 82a-701 *et. seq.*, and rules and regulations promulgated thereunder. With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 27561.

1. A change application was received on November 15, 2024 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use.  Applicable  Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a        foot radius of the authorized point(s) of diversion.  Applicable  Not Applicable
4. The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application.  Applicable  Not Applicable
5. The point(s) of diversion authorized herein shall not actually be located more than        feet from the previously authorized point(s) of diversion.  Applicable  Not Applicable
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 tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13.  Applicable  Not Applicable
7. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2025**, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.  Applicable  Not Applicable
8. **Installation of the works for diversion of water shall be completed on or before December 31, 2025**, or within any authorized extension of time. By March 1, 2026 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e.  Applicable  Not Applicable
9. **The completed well log shall be submitted with the required notice.**  Applicable  Not Applicable
10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c.  Applicable  Not Applicable
11. Additional Conditions are attached.  Yes  No
12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

**Administrative Appeal and Effective Date of Order**

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

*For Use by Register of Deeds*

FOR OFFICE USE ONLY  
**APPLICATION APPROVED AND SUMMARY ORDER ISSUED**

By: Austin McColloch  
Duly Authorized Designee of the Chief Engineer

(Print Name): Austin McColloch  
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: November 25, 2024

State of Kansas )

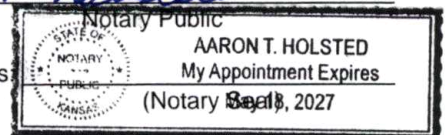
County of Linney ) SS

Acknowledged before me on November 25, 2024

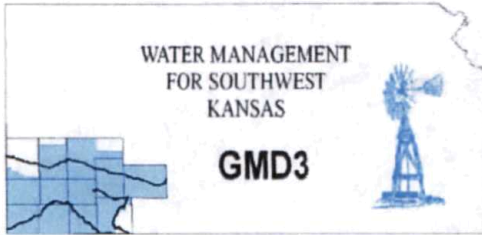
by Austin McColloch

Signature: Aaron Holsted

My commission expires: \_\_\_\_\_







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

November 22, 2024

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

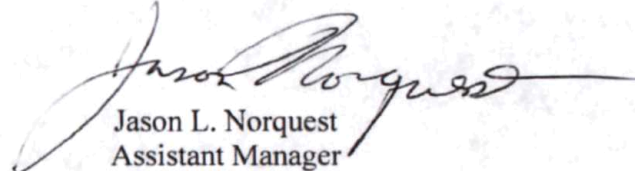
RE: Applications for Change in Place of Use  
Water Right, File Nos. 11476 & 27561

Dear Austin:

We have reviewed the applications for the above referenced water rights. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). In accordance with K.A.R. 5-5-11(b), the proposed acres are within the allowance of the base acres for the water rights and will maintain a complete overlap for both water rights. It is therefore recommended that the applications be approved at this 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,

  
Jason L. Norquest  
Assistant Manager

RECEIVED

NOV 22 2024

Garden City Field Office  
Division of Water Resources



## GMD3 Change Review

---

File No(s): 11476, 27561.

DWR office: GC.

App filed to change: PU.

Is Landowner(s) correct in WRIS: Marcus & Stacey Howe.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS?   .

If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-5-11(b)

Point of diversion ID No(s)    being changed.

	ft. North	ft. West	
Authorized PD			
Proposed PD			
Difference	0	0	
a2 + b2 = c2	0	0	0

GPS for proposed PD: Lat:    Long:   .

Is proposed PD stacking on existing WRs? No Change.

Is Proposed PU overlapping existing WRs? Bringin in new acres and taking out some corner currently covered while maintaining complete overlap.

Base Acres: 560 combined.

Perfected Acres:   .

Irr. Return-Flow   %

**Stevens County**

**11476: 792AF @ 1600gpm**

**27561: 320AF @ 1000gpm**

**Current authorized PU:**

**80acres W2 SW 25-31-35**

**320acres E2 26-31-35**

**160acres NE 35-31-35**

**560acres combined**

**Proposed acres:**

**80acres W@ SW 25-31-35**

**192acres: half pivot in NE & full pivot in SE 26-31-35**

**288acres: full quarter in NE & pivot (New ground) in SW 35-31-35**

**560acres combined**

Is a waiver needed: No. Proposed acres is within the water rights combined base acres when bringing in unauthorized acres.

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



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

Mike Beam, Secretary



Phone: 620-276-2901  
Fax: 620-276-9315  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Laura Kelly, Governor

November 20, 2024

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

Re: Request for Recommendation,  
File No. 11476 and 27561

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Marcus Howe 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 so 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: