

File No. **21662** 11. County: **GY** Basin: **ARKANSAS RIVER** Stream: Formation Code: **75** Special Use:

12. Points of Diversion
 Rate and Quantity
 Authorized Additional
 Rate Quantity Rate Quantity
 gpm/cfs af/mgy gpm/cfs af/mgy Overlap PD Files

CHK	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	Overlap PD Files
CHK					13799												

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files	
						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					
DEL	30692																									
ENT	23524	19	26S	28W	2	31.5	31.5	31.5	31.5	33	33	33	33					34	34	34	34	394	8a	N	MULTIPLE	
CHK	6653	20	26S	28W	1									34	34	34	34	34	34	34	272	8a	N	MULTIPLE		
CHK	25262	21	26S	28W	1									34	34	34	34				136	8a	N	MULTIPLE		

Base Acres: Year: Minimum Reasonable Quantity:

Comments: **OVERLAPPING PU FILES: 18928; 19257; 21442 & 21662 NOTE: COMBINE PU IDS 37373, 30692 (DELETE) AND 23524 (KEEP)**

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 24, 2021

PRAIRIE CREEK AG LANDS LLC
136 W 650 S
KOUTS, IN 46347-9622

RE: Filed Office Application for Change
Water Right, File Nos. 18928; 19257; 21442 & 21662

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.

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: GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this 24th day of November, 2021, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 18,928; 19,257; 21,442 & 21,662 dated 24th day of November, 2021 was mailed postage prepaid, first class, US mail to the following:

PRAIRIE CREEK AG LANDS LLC
136 W 650 S
KOUTS, IN 46347-9622

Pc:

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. 21662

RECEIVED
 1:35 pm
 NOV 19 2021

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

Place of Use Point of Diversion

Garden City Field Office
 Division of Water Resources

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: PRAIRIE CREEK AG LANDS LLC
136 W 650 S KOUTS IN 46347-9622

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: ARCH B & MICHELLE FRINK
PO BOX 1088 CIMARRON KS 67835-1088

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: PRAIRIE CREEK AG LANDS LLC

ADDRESS: 136 W 650 S KOUTS IN 46347-9622

(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	
19	26S	28W					33	33	33	33									132

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: PRAIRIE CREEK AG LANDS LLC

ADDRESS: 136 W 650 S KOUTS IN 46347-9622

(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	
19	26S	28W	31.5	31.5	31.5	31.5	33	33	33	33					34	34	34	34	394
20	26S	28W									34	34	34	34	34	34	34	34	272
21	26S	28W									34	34	34	34					136

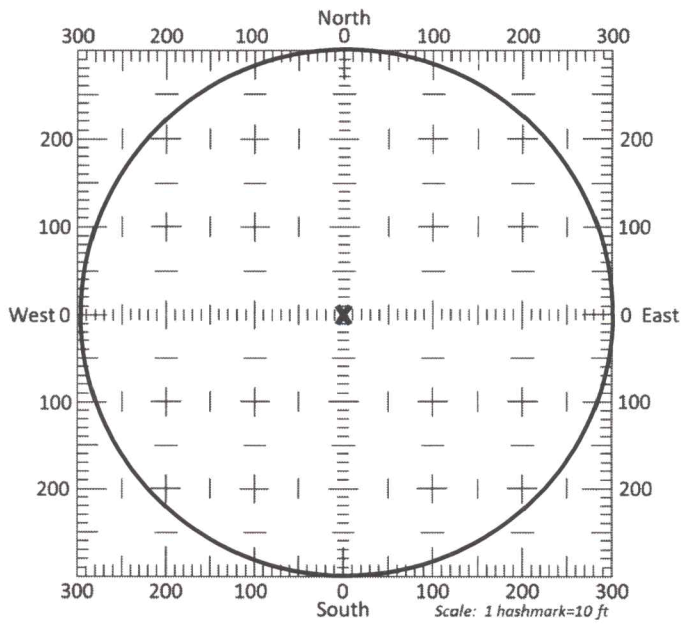
For Office Use Only: Code _____ **Fee \$** 200.00 **TR #** _____ **Receipt Date** 11-19-21 **Check #** 1042

5. **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 _____

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) CREATE A OVERLAP IN PLACE
OF USE BETWEEN FILE NOS. 18928; 19257; 21442 &
21662

8. If a well, is the test hole log attached? Yes No
9. The change(s) (was)(will be) completed by?
ASAP
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.)**

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 Valparaiso, Indiana, Kansas, this 15th day of November, 2021.

Prarie Creek Ag lands LLC
By James M Keriger Mgr.
(Owner)

(Spouse)

JAMES M Keriger
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

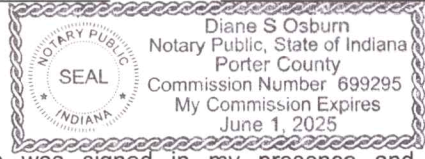
(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Indiana SS
County of Porter



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 15th day of November, 2021.

Diane S Osburn
Notary Public

My Commission Expires June 1, 2025

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.

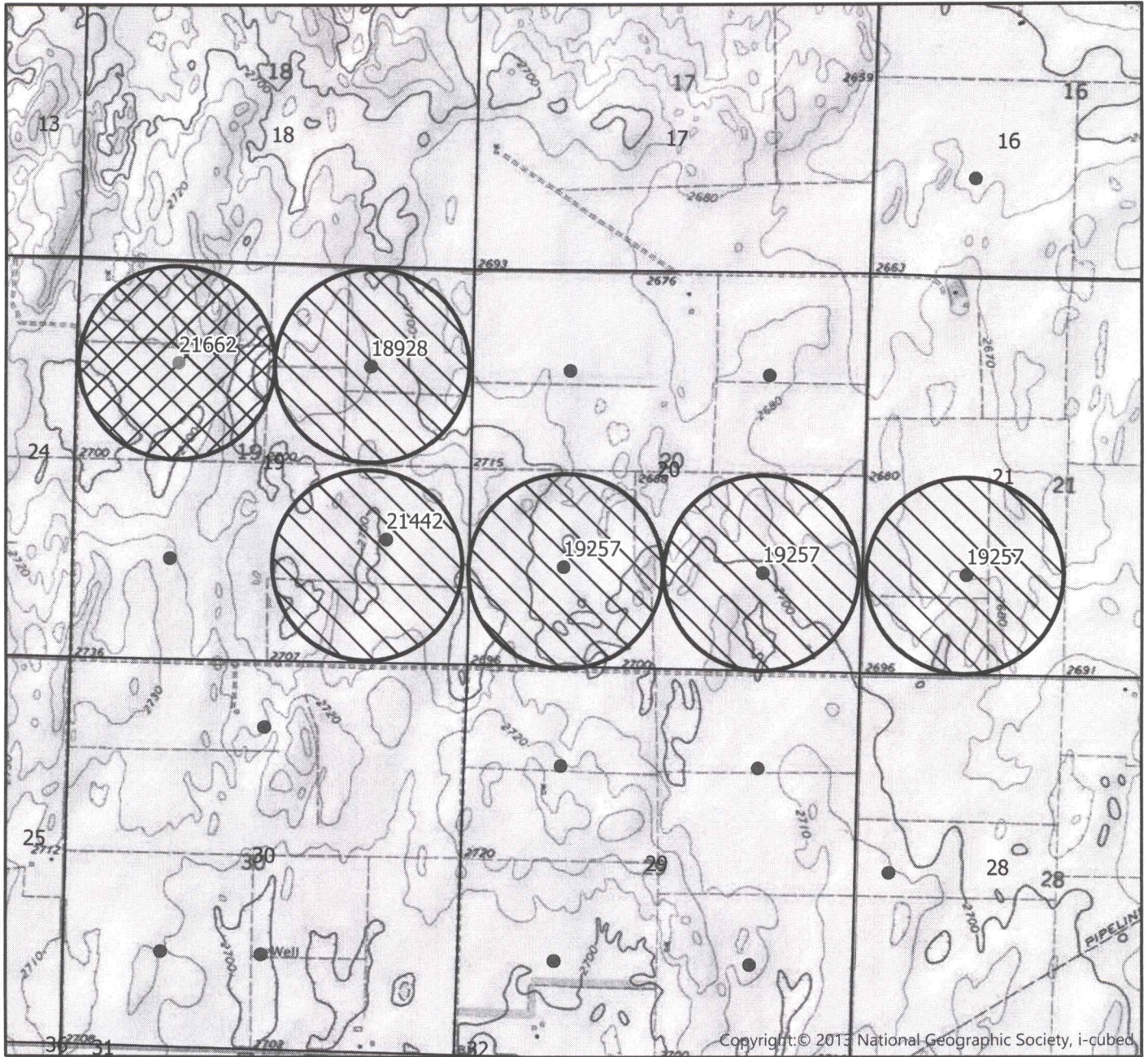
FEE SCHEDULE

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

CHANGE IN PLACE OF USE WATER RIGHT, FILE NO. 21662

Sections 19, 20 & 21 Township 26 South Range 28 West Gray County

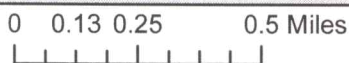


	Authorized Point of Diversion
	Permitted Water Right
	Domestic Well within 1/2 mile
	Authorized Place of Use
	Proposed Place of Use

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



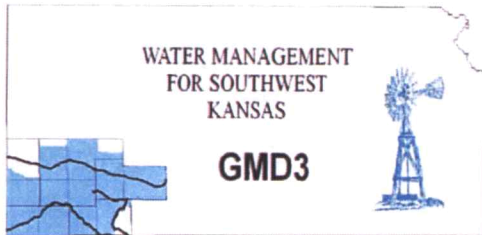
By signing below I agree that all wells, including domestic, and owners names and addresses within 1/2 mile of the proposed point of diversion have been shown on the map



(Signature)

Date

Date AM/GCFO
1:24,000 Scale



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

November 22, 2021

Michael A. Meyer
Division of Water Resources
4532 W Jones Ave., Suite B
Garden City, Kansas 67846

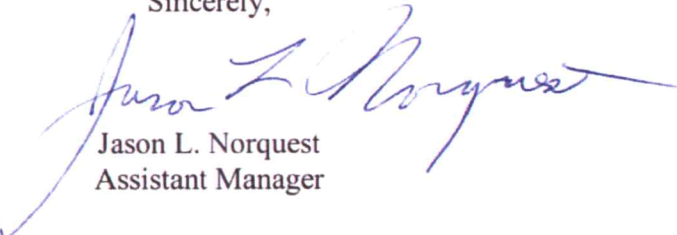
RE: Applications for Change in Place of Use
Water Right, File Nos. 18928, 19257, 21442 & 21662

Dear Mike:

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). The proposed change in place of use will make a complete overlap in place of use in irrigated acres, with no new acres being proposed, which is in accordance with K.A.R. 5-5-11. 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

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NOV 22 2021

Garden City Field Office
Division of Water Resources

GMD3 Change Review

File No(s): 18928, 19257, 21442, 21662.

DWR office: GC.

App filed to change: PU.

Is Landowner(s) correct in WRIS: Prairie Creek Ag Lands LLC.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? __.

If NO, is documentation included?

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

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

	ft. North	ft. West
Authorized PD		
Proposed PD		
<hr/>		
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? Overlap all WRs.

Neighboring certified well(s) notified: __.

Name __.

Address __.

Zip __.

Email: __. Phone: __.

Domestic well(s) notified: __.

Name __.

Address __.

Zip __.

Base Acres: __.

Perfected Acres: __.

Irr. Return-Flow __%

18928 authorizd: 251AF @ 690gpm

126 acres NE 19-26-28

19257 authorized:

ID01 Sect 20 284AF @ 745gpm

ID01 Sect 21 269AF @ 710gpm

ID02 Sect 20 263AF @ 690gpm

272 acres S2 20-26-28 (136 acre pivot/quarter)

136 acres SW 21-26-28

21442 authorized: 272AF @ 880gpm

136 acre circle in SE 19-26-28

21662 authorized: 254AF @ 890gpm

GMD3 Change Review

132 acre circle in NW 19-26-28

Proposed applications will make a complete overlap in PU.

Is a waiver needed: Making a complete overlap, no new acres proposed.

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



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NOV 22 2021

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

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 22, 2021

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO. 3
2009 E SPRUCE ST
GARDEN CITY KS 67846

Re: Request for Recommendation
Water Right, File Nos. 18928, 19257, 21442, 21662

Dear Mr. Norquest:

This is to advise you that Prairie Creek Ag Lands LLC, has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use

We are delaying action on the change applications to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days from the date of this letter.

Thank you and as always feel free to contact this office at any time.

Sincerely,

A handwritten signature in blue ink that reads "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM
Enclosures