

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.

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JAN 19 2021

3:29 p.m.  
 Stockton Field Office  
 Division of Water Resources

File No. 12,989

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: Jim Kreiger KOUTS

136 W 650 South, Aoutz, Indiana, KS 46347

Phone Number: (219)477-0478                      Email address: kreiginks@yahoo.com

Name and address of Water Use Correspondent: Same as Applicant

Phone Number: (     )                      Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: Prairie Creek AgLand LLC

ADDRESS: 136 W 650 South, Aoutz, Indiana, 46347 KOUTS

(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					
5	7	41																	31	40	40	40	151
4	7	41									31	31	31	31									124
*Currently Authorized as a 5-5-11 Acre Certification.																							

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 AgLand LLC

ADDRESS: 136 W 650 South, Aoutz, Indiana 46347

(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					
5	7	41																	31	40	40	40	151
4	7	41									31	31	31	31									124
Proposed: 5-5-11 Quantity of 5 years 1051 AF, limited to 388.5 AF 2021 & 2022; further limited to 5 year LEMA.																							

<b>For Office Use Only: Code</b> _____ <b>Fee \$</b> _____ <b>TR #</b> _____ <b>Receipt Date</b> _____ <b>Check #</b> _____
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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) To go from a 5-5-11 acre certification  
to a 5-5-11 limited quantity 5 year rotation that coincides  
with the GMD 4 LEMA

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

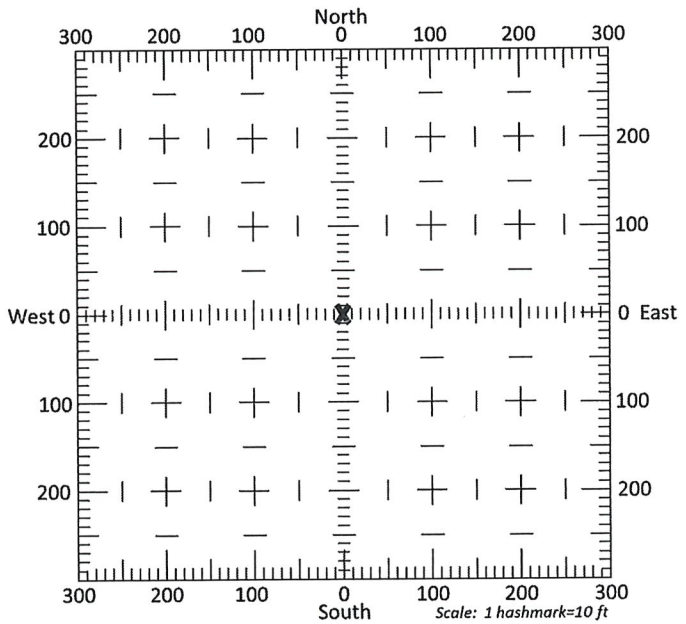
9. The change(s) (was)(will be) completed by?  
Upon Approval

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

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by Shannon Kenyon, GMD 4

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.)

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 Division of Water Resources

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 PORTER COUNTY, ~~Kansas~~, this 12<sup>th</sup> day of January, 20 21.  
~~INDIANA~~

[Signature]  
(Owner)

\_\_\_\_\_  
(Spouse)

Jim KREIGER  
(Please Print)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

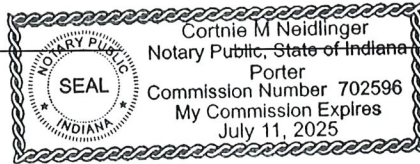
\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

State of ~~Kansas~~ INDIANA }  
County of PORTER } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 12<sup>th</sup> day of January, 20 21.

[Signature]  
Notary Public

My Commission Expires July 11, 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

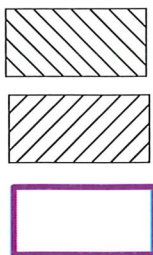
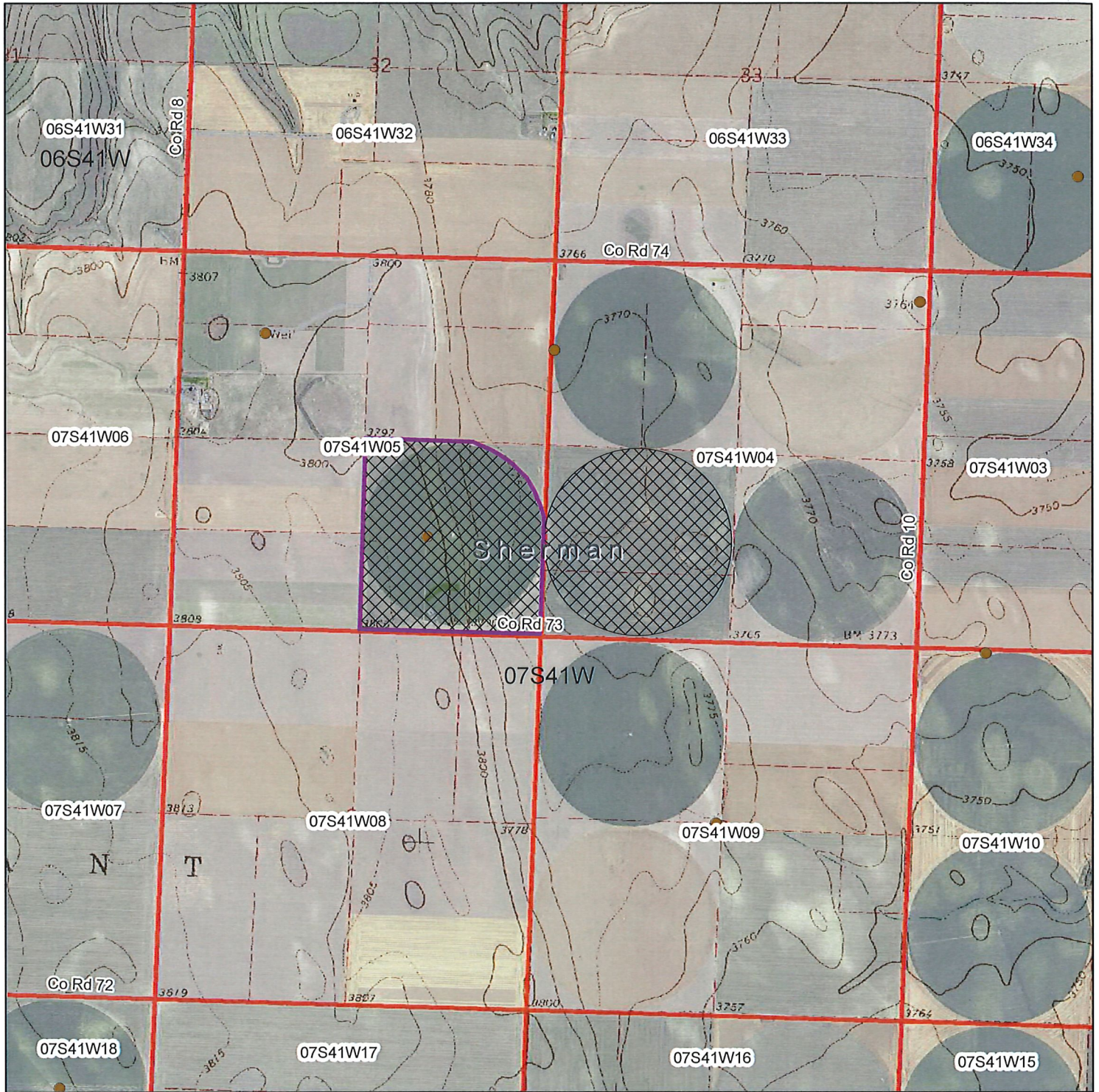
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# Application to Change the Place of Use For Water Right File # 12,989



Authorized Place of Use  
 Proposed Place of Use  
 Reversion Place of Use

▲ Surface Water Point of Diversion  
● Groundwater Point of Diversion





Stockton Field Office  
820 S. Walnut  
Stockton, Kansas 67669-0192  
Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Kelly Stewart, Water Commissioner

Phone: (785) 425-6787  
Fax: (785) 425-6842  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

January 19, 2021

GROUNDWATER MANAGEMENT DISTRICT NO 4  
PO BOX 905  
COLBY KS 67701

Re: Water Right, File No. 12,989

Dear Ladies and Gentlemen:

Reference is made to the application referred to above which appears to be in proper form.

We are delaying any further action until **February 1, 2020** 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 wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Billinger".

Mark Billinger  
Assistant Water Commissioner

MB:rfh  
Enclosures

SCANNED



**NORTHWEST KANSAS  
GROUNDWATER MANAGEMENT  
DISTRICT NO. 4**

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1290 West 4th Street  
P.O. Box 905  
Colby, Kansas 67701-0905

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January 20, 2021

Mark Billinger  
Stockton Field Office  
820 South Walnut  
Stockton, KS 67669

RE: Application(s): #12,989  
Jim Kreiger

Dear Mark,

The Northwest Kansas Groundwater Management District has reviewed the above referenced applications and based on our records and the information supplied by the applicant, we have determined that the following recommendation be made to the Chief Engineer:

Approve application to change the place of use.

If you have any questions, please contact this office.

Sincerely,

Shannon Kenyon  
Manager

SK: jem

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Division of Water Resources

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