



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.

**RECEIVED**

File No. 11,610

**JUN 27 2018  
 11:45 a.m.**

Stockton 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: Russell Mick  
1864 W 70th Dr., Alton, KS 67623

Phone Number: (785)346-6066                      Email address: russellemick@gmail.com

Name and address of Water Use Correspondent: Eugene A Mick Trust No. 1, Russell E Mick Trust B Share, 1864 W 70th Dr., Alton, KS 67623

Phone Number: (785)346-6066                      Email address: \_\_\_\_\_

3. The presently authorized place of use is:  
 Owner of Land ---- NAME: Eugene A Mick Trust No. 1, Russell E Mick Trust B Share,  
 ADDRESS: 1864 W 70th Dr., Alton, KS 67623

(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	
13	07	14w					4.5	22	34.5	38.5	34.5	11.5							145.5

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: Eugene A Mick Trust No. 1, Russell E Mick Trust B Share,  
 ADDRESS: 1864 W 70th Dr., Alton, KS 67623

(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	
13	7	14			31.5	18.5	4.5	22	34.5	38.5	36	13							198.5

**For Office Use Only:** Code \_\_\_\_\_ Fee \$ \_\_\_\_\_ TR # \_\_\_\_\_ Receipt Date \_\_\_\_\_ Check # \_\_\_\_\_

5. **Presently authorized point of diversion:**  
 One in the SE Quarter of the NW Quarter of the NW Quarter of Section 13, Township 07 South, Range 14 (W), in OB County, Kansas, 4310 feet North 2880 feet West of Southeast corner of section. Authorized Rate 1500 gpm\* Authorized Quantity 170 AF Depth of well \_\_\_\_\_ (feet)  
**(DWR use only: Computer ID No. 03 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 18,245 & 6,224\*\*

6. **Presently authorized point of diversion:**  
 One in the SE Quarter of the NW Quarter of the SW Quarter of Section 12, Township 07 South, Range 14 (E/W), in OB County, Kansas, 1430 feet North 4000 feet West of Southeast corner of section. Authorized Rate 1500 gpm Authorized Quantity 170 AF Depth of well \_\_\_\_\_ (feet)  
**(DWR use only: Computer ID No. 02 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 none

7. The changes herein are desired for the following reasons?  
 (please be specific) \*rate & quantity total for water right  
\*\*proposed PD change on File 6,224 will move pumpsite to overlap w/ ID3 & overlap 6224; 11610 & 18245 under pivot

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

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

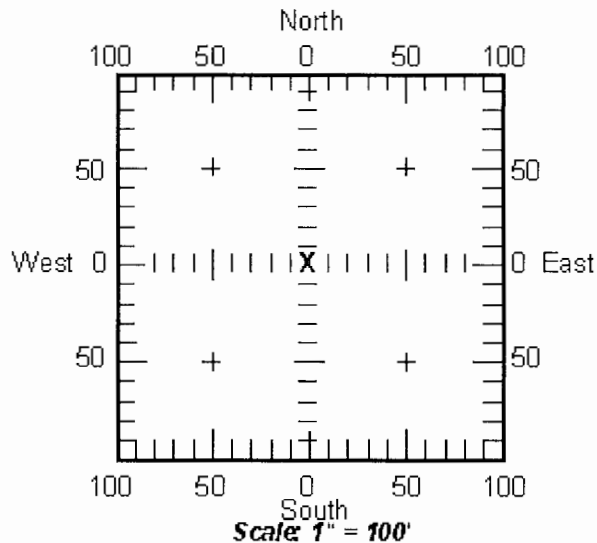
10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
n/a

(b) When will this be done? n/a

11. Groundwater Management District recommendation attached?  Yes  No

12. Assisted by jkb - Stock FO

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from 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.

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APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

JUN 27 2018

FILE NO. 11,610 & 18,245

MAKE ADDITIONAL COPIES AS NECESSARY

Stockton Field Office Division of Water Resources

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

Owner of Land --- NAME: John Simpson | Charles & Phyllis Simpson ADDRESS: 219 S 5th St, Osborne, KS 67473 | 743 South 180th St, Alton, KS 67623

Table with columns for Sec, Twp, Range, NE 1/4, NW 1/4, SW 1/4, SE 1/4, and TOTAL ACRES. Row 1: 13, 07, 14w, 3, .5, 3.5

Owner of Land --- NAME: ADDRESS:

Table with columns for Sec, Twp, Range, NE 1/4, NW 1/4, SW 1/4, SE 1/4, and TOTAL ACRES. Row 1: 13, 07, 14w, 3, .5, 3.5

Owner of Land --- NAME: ADDRESS:

Table with columns for Sec, Twp, Range, NE 1/4, NW 1/4, SW 1/4, SE 1/4, and TOTAL ACRES. Row 1: 13, 07, 14w, 3, .5, 3.5

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: John Simpson | Charles & Phyllis Simpson ADDRESS: 219 S 5th St, Osborne, KS 67473 | 743 South 180th St, Alton, KS 67623

Table with columns for Sec, Twp, Range, NE 1/4, NW 1/4, SW 1/4, SE 1/4, and TOTAL ACRES. Row 1: 13, 07, 14w, 3, .5, 3.5

Owner of Land --- NAME: Iris A Hahn Trust ADDRESS: 107 Mercury Ave, Osborne, KS 67473

Table with columns for Sec, Twp, Range, NE 1/4, NW 1/4, SW 1/4, SE 1/4, and TOTAL ACRES. Row 1: 13, 07, 14w, 11, 36, 47

Owner of Land --- NAME: ADDRESS:

Table with columns for Sec, Twp, Range, NE 1/4, NW 1/4, SW 1/4, SE 1/4, and TOTAL ACRES. Row 1: 13, 07, 14w, 11, 36, 47

14. If the proposed groundwater point of diversion is 300 or fewer feet from 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.)

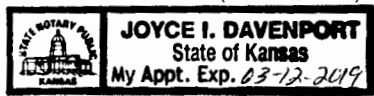
If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized 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 Osborne, Kansas, this 22 day of June, 2018.

<u>Russell E Mick</u> (Owner)	
<u>Russell E. Mick</u> (Please Print)	

State of Kansas }  
 County of Osborne } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 22<sup>nd</sup> day of June, 2018.

Joyce I. Davenport  
Notary Public

My Commission Expires 03-12-2019.

**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.

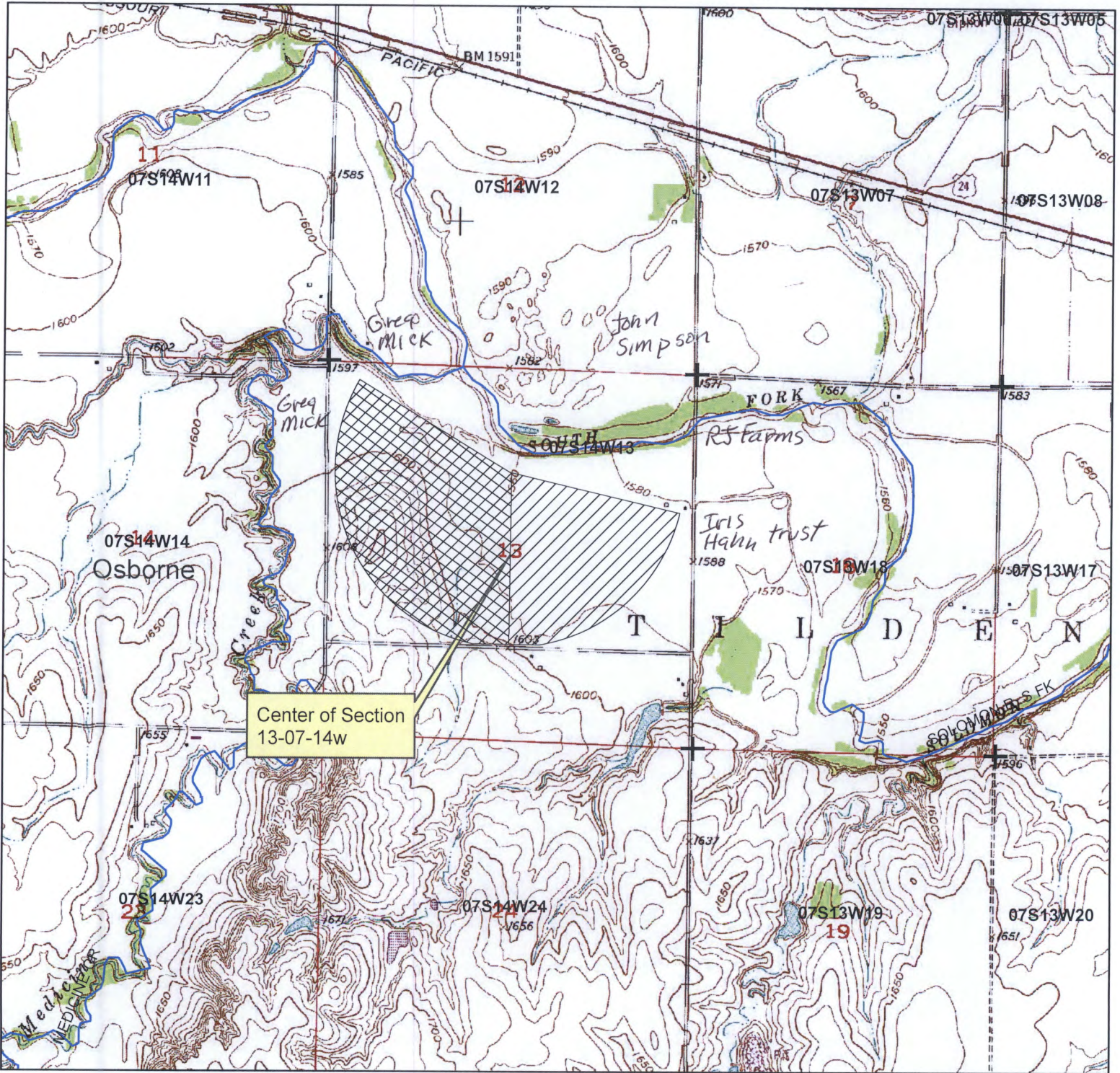
**FEE SCHEDULE**

- 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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JUN 27 2018




# Application for Change in Place of Use Water Right, File Nos. 11,610 & 18,245



+ Section Corners

 Presently Authorized Place of Use

 Proposed Place of Use

1:24,000



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JUN 27 2018

Stockton Field Office  
Division of Water Resources

To the best of my knowledge, names and addresses of all landowners within 1/2 mile upstream and downstream of the property lines are shown.

*Russell E Mick* 6-24-18  
Signature Date

**Quitclaim Trustee's Deed**

THIS INDENTURE, Made and entered into this 26th day of June, 2018, between Iris A. Hahn, as Trustee of the Iris A. Hahn Trust, under agreement dated October 1, 2017, which Trust has not been revoked and is in full force and effect on the date hereof, as Grantor, and Russell E. Mick Trust No. 1, as Grantee.

The Grantor, acting under express powers conferred upon her as Trustee of the Iris A. Hahn Trust, under agreement dated October 1, 2017, by these presents conveys unto **Russell E. Mick Trust No. 1, under agreement dated October 1, 1990**, all right, title and interest of the Iris A. Hahn Trust, under agreement dated October 1, 2017, in and to all of the following, to-wit:

Certificate of Appropriation for Beneficial Use of Water, issued pursuant to Application No. 6,224;

Certificate of Appropriation for Beneficial Use of Water, issued pursuant to application No. 11,610;

Certificate of Appropriation for Beneficial Use of Water, issued pursuant to application No. 18,245;

as the same may pertain to the North Half of the Southeast Quarter of Section 13, Township 7 South, Range 14, West of the 6th P.M., in Osborne County, Kansas,

*(No real estate validation questionnaire required pursuant to K.S.A. 79-1437e(a), Exception #7.)*

IRIS A. HAHN TRUST, dated October 1, 2017.

By Iris A. Hahn Trustee  
IRIS A. HAHN, TRUSTEE

STATE OF KANSAS, OSBORNE COUNTY, SS:

The foregoing instrument was acknowledged before me on the 26th day of June, 2018, by Iris A. Hahn, as Trustee of the Iris A. Hahn Trust, under agreement dated October 1, 2017, on behalf of said trust.



Donald L. Koops  
NOTARY PUBLIC  
My appointment expires 2-9-2020

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JUN 27 2018

Stockton Field Office  
Division of Water Resources

STATE OF KANSAS  
OSBORNE COUNTY SS  
Filed on the 27th day of June  
A.D. 2018 at 11:30 o'clock A.M.  
and duly Recorded in Deeds  
Book A109 Page 57  
REGISTER OF DEEDS  
fee 21.00





Greg Mick  
874 S 170<sup>th</sup> Ave  
Osborne Ks 67473

John Simpson  
219 S 5<sup>th</sup> ST  
Osborne Ks 67473

Iris A Hahn Trust  
107 Mercury Ave  
Osborne, Ks 67473

RJ Farms  
1607 W 79<sup>th</sup> Dr  
Osborne Ks 67473

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JUN 27 2018

Stockton Field Office  
Division of Water Resources

# NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.