

Kansas Department of Agriculture / Division of Water Resources  
Stockton Field Office

TO: HEADQUARTERS

RE  Vested Right;  Water Right;  Appropriation of Water;  Application

File No(s). 6,224;11,610;18,245

County OB

Enclosed are the following checked items:

A  FIR  Full  Partial Inspection  Return to Field Office

Proposed Certificate to deliver to Certificate Unit

Meter Order:  GMD#4

Lower Smoky

Other \_\_\_\_\_

A Compliance Check Inspection on \_\_\_\_\_

Meter Install  New App  Chg App  Other \_\_\_\_\_

In Compliance  Not in Compliance, why \_\_\_\_\_

Modify Point of Diversion  No  Yes, document attached

Indicate all overlapping p/d files \_\_\_\_\_

An application and judgment sheet with recommendation.

A memorandum dated \_\_\_\_\_

A request for an extension of time to perfect or complete.

A verified report.

A closure request.

A field investigation report.

Notice of Non-Compliance \_\_\_\_\_

Violation

Date

An ownership change (name(s) and address(es) below).

A water use report for \_\_\_\_\_

A letter dated \_\_\_\_\_

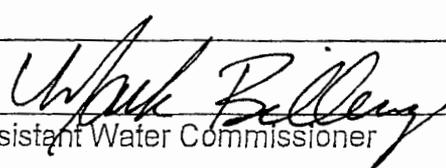
A copy of an Approval to Change the  place of use and/or  point of diversion.

Filing Fee attached. *fee sent via advanced copy 12-27-18*

An Advanced copy of a change application and the filing fee, to be processed at the field office.

An original field office change application and the filing fee needing headquarters office review and further processing.

Other: \_\_\_\_\_

  
Assistant Water Commissioner

12-28-18  
Date

Kansas Department of Agriculture  
 Division of Water Resources  
**CHANGE: P/U WORKSHEET**

1. File Number: <b>18,245</b>	2. Status Change Date:	3. Change Num: <b>C1</b>	4. Field Office: <b>03</b>	5. GMD:
----------------------------------	------------------------	-----------------------------	-------------------------------	---------

6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: <b>6/27/18</b>
--	---

8a. Applicant(s) New to system <input type="checkbox"/>	Person ID <b>64580</b> Add Seq# _____
<b>RUSSELL MICK</b> <b>1864 W 70<sup>TH</sup> DR</b> <b>ALTON, KS 67623</b>	

8d. Landowner(s) New to system <input type="checkbox"/>	Person ID <b>28999</b> Add Seq# _____
<b>CHARLES &amp; PHYLLIS SIMPSON**</b> <b>743 SOUTH 180TH ST</b> <b>ALTON, KS 67623</b> <b>** QUITCLAIM DEED TO RIGHTS</b>	

8b. Landowner(s) New to system <input type="checkbox"/>	Person ID <b>61472</b> Add Seq# _____
<b>EUGENE A MICK TRUST NO. 1</b> <b>RUSSELL E MICK TRUST B SHARE</b> <b>1864 W 70<sup>TH</sup> DR</b> <b>ALTON, KS 67623</b>	

8e. Landowner(s) New to system <input checked="" type="checkbox"/>	Person ID _____ Add Seq# _____
<b>IRIS A HAHN TRUST**</b> <b>107 MERCURY AVE</b> <b>OSBORNE, KS 67473</b> <b>** QUITCLAIM DEED TO RIGHTS</b>	

8c. Landowner(s) New to system <input type="checkbox"/>	Person ID <b>58216</b> Add Seq# _____
<b>JOHN SIMPSON**</b> <b>219 S 5TH ST</b> <b>OSBORNE, KS 67473</b> <b>** QUITCLAIM DEED TO RIGHTS</b>	

8f. WUC New to system <input type="checkbox"/>	Person ID <b>61472</b> Add Seq# _____
<b>EUGENE A MICK TRUST NO 1</b> <b>RUSSELL E MICK TRUST B SHARE</b> <b>1864 W 70<sup>TH</sup> DR</b> <b>ALTON, KS 67623</b>	

9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/18</b> <input checked="" type="checkbox"/> N & P Date to Comply: <b>12/31/18</b>	
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan    Date Required: _____    Date Approved: _____    Date to Comply: _____	

10. Use Made of Water    From: _____    To: _____
---

Date Prepared: <b>12/27/18</b>	By: <b>BILLINGER</b>
Date Entered: _____	By: _____

File No. **18,245**      11. County: **OB**      Basin: **S F SOLOMON RIVER**      Stream: **SOUTH FORK SOLOMON RIVER**      Formation Code:      Special Use:

12. Points of Diversion  
 CHK  
 MOD  
 DEL PDIV  
 ENT  
 Qualifier      S      T      R      ID      'N      'W      Comment (AKA Line)      Rate gpm      Quantity af      Additional Rate gpm      Quantity af      Overlap PD Files

**NO CHANGE**

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				
ENT	32652	13	7S	14W	1			31.5	18.5	4.5	22	34.5	38.5	36	13						198.5	8b.	N	11610 & 18245	
CHK	63367	13	7S	14W	5					3	0.5										3.5	8c.&8d.	N	11610 & 18245	
ENT	NEW	13	7S	14W	NEW											11	36				47	8e.	N	11610 & 18245	
DEL	37802	13	7S	14W	2					4.5	22	34.5	38.5	34.5	11.5						145.5	8b.	N	18245	

Base Acres:      Year:      Minimum Reasonable Quantity:

Comments: **LANDOWNERS 8c., 8d., & 8e. HAVE SIGNED QUIT CLAIM DEEDS TO OWNERSHIP OF WATER RIGHTS**

DEPARTMENT OF AGRICULTURE  
DIVISION OF WATER RESOURCES  
STOCKTON FIELD OFFICE  
820 S. WALNUT  
STOCKTON, KS 67669-0192

STATE OF KANSAS



PHONE: (785) 425-6787  
FAX: (785) 425-6842  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

December 28, 2018

EUGENE A MICK TRUST NO 1  
RUSSELL E MICK TRUST B SHARE  
1864 W 70TH DR  
ALTON KS 67623

Re: Water Rights, File Nos. 11,610 & 18,245

Dear Mr. Mick:

Enclosed are two (2) orders executed by David W. Barfield, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to the terms, conditions, and limitations specified in these approvals for change.

Since these orders modify the original certificates, they should be recorded with the Register of Deeds as other instruments affecting real estate.

**These documents are summary orders by this agency regarding these matters.** These orders shall become final if requests for hearings are not filed with the Chief Engineer within 15 days of the date of service of these orders.

If you have any questions, please feel free to contact this office. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

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

Mark Billinger  
Assistant Water Commissioner

MB:rh  
Enclosures

**CERTIFICATE OF SERVICE**

On this 28<sup>th</sup> day of December, 2018, I hereby certify that the attached **SUMMARY ORDERS APPROVING APPLICATIONS FOR CHANGE in PLACE OF USE** for water rights, File Nos. 11,610 & 18,245, dated on the 27<sup>th</sup> day of December, 2018, were mailed postage prepaid, first class, U.S. mail, to the following:

EUGENE A MICK TRUST NO 1  
RUSSELL E MICK TRUST B SHARE  
1864 W 70TH DR  
ALTON KS 67623

  
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**

APPLICATION NO. 18-245  
 12/27/18  
 Reviewer: *MLK*

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. 18,245

JUN 27 2018  
 11:45 AM  
 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

<b>For Office Use Only: Code</b> _____ <b>Fee \$</b> _____ <b>TR #</b> _____ <b>Receipt Date</b> _____ <b>Check #</b> _____
---

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 1470 gpm Authorized Quantity 62 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 11,610 & 6,224\*

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 none

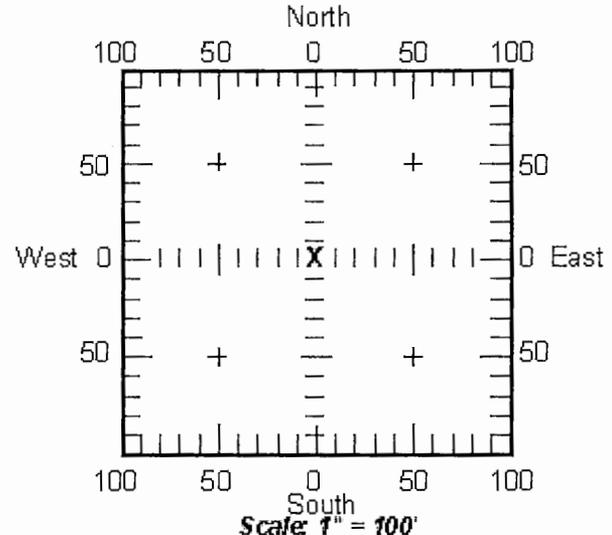
7. The changes herein are desired for the following reasons?  
 (please be specific) \*proposed PD change on File 6,224  
 will move pumpsite to overlap w/ ID3; P/U change to  
 overlap 6,224; 11,610 & 18,245 under pivot

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.

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 and sub-sections (NE, NW, SW, SE) and a TOTAL ACRES column. Row 1: 13, 07, 14w, 3, .5, 3.5

Owner of Land --- NAME: ADDRESS:

Table with columns for Sec, Twp, Range and sub-sections (NE, NW, SW, SE) and a TOTAL ACRES column. Row 1: 13, 07, 14w, 3, .5, 3.5

Owner of Land --- NAME: ADDRESS:

Table with columns for Sec, Twp, Range and sub-sections (NE, NW, SW, SE) and a TOTAL ACRES column. 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 and sub-sections (NE, NW, SW, SE) and a TOTAL ACRES column. 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 and sub-sections (NE, NW, SW, SE) and a TOTAL ACRES column. Row 1: 13, 07, 14w, 11, 36, 47

Owner of Land --- NAME: ADDRESS:

Table with columns for Sec, Twp, Range and sub-sections (NE, NW, SW, SE) and a TOTAL ACRES column. 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).

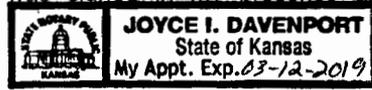
I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application 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)	_____	(Spouse)
<u>Russell E. Mick</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
(Owner)	_____	(Please Print)
_____	_____	(Spouse)
(Please Print)	_____	(Please Print)
_____	_____	(Spouse)
(Owner)	_____	(Please Print)
_____	_____	(Spouse)
(Please Print)	_____	(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

RECEIVED  
JUN 27 2018

**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. 18,245.

1. A change application was received on 6-27-18 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 n/a foot radius of the authorized point(s) of diversion.  Applicable  Not Applicable
4. The point(s) of diversion authorized herein shall not actually be located more than n/a feet from the previously authorized point(s) of diversion.  Applicable  Not Applicable
5. 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
6. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20**\_\_\_\_\_, 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
7. **Installation of the works for diversion of water shall be completed on or before December 31, 20**\_\_\_\_\_, or within any authorized extension of time. By March 1, 20\_\_\_\_\_ 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
8. **The completed well log shall be submitted with the required notice.**  Applicable  Not Applicable
9. 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
10. Additional Conditions are attached.  Yes  No
11. 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: *Mark Billinger*  
Duly Authorized Designee of the Chief Engineer

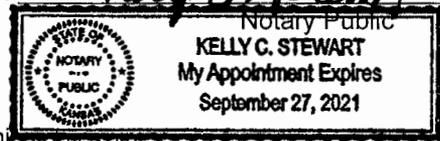
(Print Name): MARK BILLINGER  
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: 12-27-18

State of Kansas )  
County of BOOKS ) SS

Acknowledged before me on 12-27-18  
by MARK BILLINGER

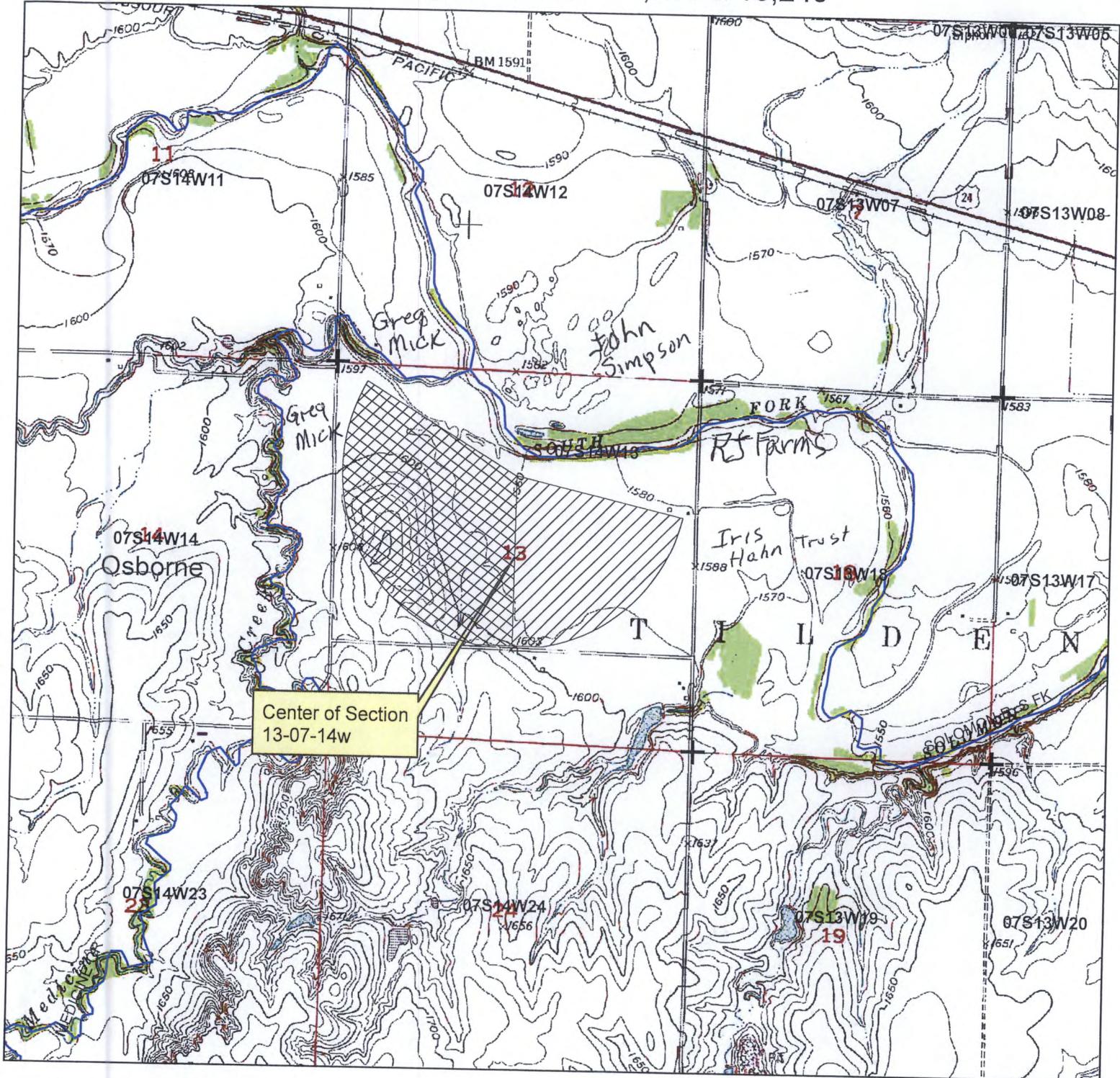
Signature: *Kelly Stewart*  
Notary Public



My commission expires: 9-27-21

(Notary Seal)

# 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



**RECEIVED**

**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*  
Signature

6-26-18  
Date

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

RECEIVED

JUN 27 2018

Stockton Field Office  
Division of Water Resources

Kansas Department of Agriculture / Division of Water Resources  
Stockton Field Office

TO: HEADQUARTERS

RE  Vested Right;  Water Right;  Appropriation of Water;  Application

File No(s). 6224; 11610; 18245

County OB

Enclosed are the following checked items:

A                                  FIR  Full  Partial Inspection  Return to Field Office

Proposed Certificate to deliver to Certificate Unit

Meter Order:  GMD#4

Lower Smoky

Other                                 

A Compliance Check Inspection on                                 

Meter Install  New App  Chg App  Other                                 

In Compliance  Not in Compliance, why                                 

Modify Point of Diversion  No  Yes, document attached

Indicate all overlapping p/d files                                 

An application and judgment sheet with recommendation.

A memorandum dated                                 

A request for an extension of time to perfect or complete.

A verified report.

A closure request.

A field investigation report.

Notice of Non-Compliance                                 

Violation

Date

An ownership change (name(s) and address(es) below).

A water use report for                                 

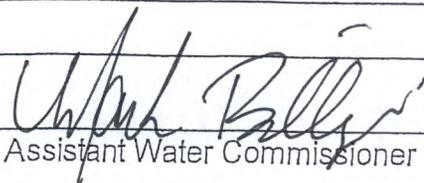
A letter dated                                 

A copy of an Approval to Change the  place of use and/or  point of diversion,  
 Filing Fee attached.

An Advanced copy of a change application and the filing fee, to be processed at the field office. #743 6224-PID+PIU  
\$800.00 11610 + 18245 - PIU

An original field office change application and the filing fee needing headquarters office review and further processing.

Other:                                 

  
Assistant Water Commissioner

6-27-18  
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,

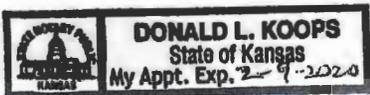
*(No real estate validation questionnaire required pursuant to K.S.A. 79-1437e(a), Exception #7.)*

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

RECEIVED

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 11:10 o'clock AM  
and duly Recorded in Deeds  
Book A109 Page 51  
Rebecca A. Byrd  
REGISTER OF DEEDS  
fee 21.00



DEC 27 2018

Quitclaim Deed

Stockton Field Office  
Division of Water Resources

JOHN SIMPSON, a single person, and PHYLLIS M. SIMPSON, a single person,

quitclaim to

RUSSELL E. MICK TRUST NO. 1, under agreement dated October 1, 1990,

all right, title and interest of Grantors 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 Northeast Quarter of the Northwest Quarter, and the Northwest Quarter of the Northwest Quarter of Section 13, Township 7 South, Range 14, West of the 6th P.M., in Osborne County, Kansas,

for the sum of none. (No real estate validation questionnaire required pursuant to K.S.A. 79-1437e(a), Exception #12.)

SUBJECT TO: As shown of record.

Dated December 26, 2018.

STATE OF KANSAS  
OSBORNE COUNTY SS  
Filed on the 27th day of Dec  
A.D. 2018 at 9:45 o'clock A.M.  
and duly Recorded in Deeds  
Book A109 Page 219  
\$21.00 REGISTER OF DEEDS



John Simpson  
JOHN SIMPSON

Phyllis M. Simpson  
PHYLLIS M. SIMPSON

STATE OF KANSAS, OSBORNE COUNTY, SS.

The foregoing instrument was acknowledged before me on the 26<sup>th</sup> day of December, 2018, by John Simpson, a single person.

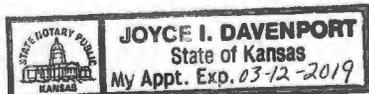


Joyce I. Davenport  
NOTARY PUBLIC

My term expires 03-12-2019

STATE OF KANSAS, OSBORNE COUNTY, SS.

The foregoing instrument was acknowledged before me on the 26<sup>th</sup> day of December, 2018, by Phyllis M. Simpson, a single person.



Joyce I. Davenport  
NOTARY PUBLIC

My term expires 03-12-2019

Entered in Transfer Record in my office this 27 day of December A.D., 2018  
[Signature]  
County Clerk