STATE OF KANSAS
BEFORE THE DIVISION OF WATER RESOURCES
KANSAS DEPARTMENT OF AGRICULTURE

IN THE MATTER OF:

Harshberger Farms Water Conservation Area
Ford County, Kansas

Water Right, File No(s).

12,709

AGREED ORDER TERMINATING A WATER CONSERVATION AREA

COMES NOW, the Chief Engineer, Division of Water Resources, Kansas Department of
Agriculture, pursuant to K.S.A. 82a-745 and having been advised of the circumstances pertinent
to this action and being otherwise fully and duly advised in the premises, and finds and orders as
follows:

1. On or about August 22, 2018, Gary Kenneth Harshberger ("Participant") submitted
to the Chief Engineer a proposed management plan to establish a water conservation area, pursuant
to K.S.A. 82a-745. The proposed plan concerned Water Right, File No. 12,709 owned by
Participant.

2. On or about October 3, 2018, and pursuant to K.S.A. 82a-745, the Chief Engineer
duly issued the Consent Agreement and Order Designating a Water Conservation Area (the "WCA
Order"), which incorporated the management plan and formally designated the Harshberger Farms
Water Conservation Area (the "Subject WCA").

3. Pursuant to the management plan and K.S.A. 82a-745(k), the Chief Engineer may
terminate a water conservation area upon the request and consent of all of water right owners
within a water conservation area. Participant is the sole participant in the Subject WCA.

4. By Participant’s signature hereto, which constitutes the signature of all of the water
right owners in the Subject WCA, Participant indicates his request and consent that the WCA
Order and its established Subject WCA be terminated pursuant to the terms herein.

5. Pursuant to the Kansas Administrative Procedure Act, K.S.A. 77-501, et seq., the
Kansas Judicial Review Act, K.S.A. 77-601, et seq., or by any other applicable Kansas law,
Participant waives all rights to a hearing on or appeal of this Agreed Order Terminating a Water
Conservation Area.

6. Accordingly, the Chief Engineer finds that all the requirements for terminating a
water conservation area have been met and that the WCA Order and its established Subject WCA
should be terminated.

7. A copy of this Agreed Order Terminating a Water Conservation Area shall be filed
with the register of deeds in Ford County, Kansas.
THEREFORE, the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, hereby orders that the WCA Order and its established Harshberger Farms Water Conservation Area are terminated and of no force or effect.

IT IS SO ORDERED, THIS 23rd DAY OF May, 2019, IN MANHATTAN, RILEY COUNTY, KANSAS.

David W. Barfield, P.E.
Chief Engineer, Division of Water Resources
Kansas Department of Agriculture

STATE OF KANSAS )
COUNTY OF RILEY )

This Agreed Order was acknowledged before me on May 23, 2019, by

David W. Barfield

My commission expires: (Notary Seal)

Agreed to on behalf of the Harshberger Farms Water Conservation Area by:

KARRIE A. MILLER
Notary Public, State of Kansas
My Appointment Expires 02-05-2023

Gary Kenneth Harshberger
"Participant"

STATE OF KANSAS )
COUNTY OF Clark )

This Agreed Order was acknowledged before me on 5/20/2019, 2019, by

Mary Harshberger

Karrin Miller
Notary Public
My commission expires: 02-05-2023
(Notary Seal)
CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of May, 2019, copies of the Agreed Order Terminating a Water Conservation Area were sent via first class, U.S. mail, to the following:

GARY KENNETH HARSHBERGER
10905 WILDFIRE RD
MINNEOLA, KS 67865

[Signature]
Kansas/Department of Agriculture
Staff Person

FILE COPY