# ADDENDUM TO THE CONSENT AGREEMENT AND ORDER DESIGNATING A WATER CONSERVATION AREA KLEYSTEUBER WATER CONSERVATION AREA (2018-2022)

This addendum effectively removes Water Right File No. 18,144 and all attributes associated with this water right from the current Consent Agreement and Order Designating a Water Conservation Area. With this addendum it amends the Kleysteuber WCA Water Management Plan.

Water Right removed: WR#(s): 18144

Use Made of Water: Irrigation

Overlapping water right(s) on any points of diversion (well): NONE

Overlapping water right(s) on the place of use (land): NONE

**Authorized Point of Diversion:** one well located near the center of the Northwest Quarter (NW1/4) of Section 21, Township 26 South, Range 31 West, Finney County, Kansas.

Authorized Quantity and Rate: 306 acre-feet and 735 gallons per minute.

#### **Amendments to the existing Corrective controls:**

- Goal Expression: not to exceed 2,250.411 Acre-Feet (AF) of the total irrigation allocation in any calendar year from 22 irrigation wells. Original annual allocation was 2,473.006 Acre-Feet (AF)
- (the reduction of 222.595 acre-feet was subtracted off the annual allocation due to the removal of WR# 18144)
- All Irrigation water rights cannot exceed a total combined quantity of 11,252.055 AF over the 5year period.
- Up to the annual allocation of 2,250.411 AF may be carried over and added to a subsequent WCA period for irrigation purposes after 2022; if unused by the irrigation wells during the duration of this WCA period. In order for the carryover quantity to be included, all owners must enter into agreement to participate into a subsequent WCA by December 31st of the last year of this WCA period (original allocation carry over was 2,473.006 acre-feet with WR# 18144)

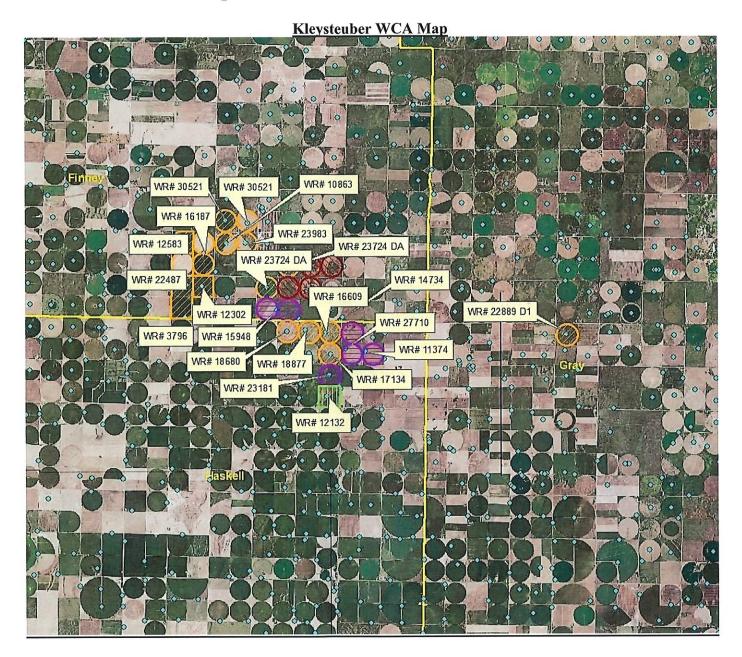
## **Amended Authorized Place of Use:**

(Section 21 was removed from the authorized place of use with the removal of WR# 18144.)

									WCA	Bound	ary																
														NE (	(1/4)		NW (1/4)			SW (1/4)			SE (1/4)				Total
Sec	T (S)	R (W)	NE (1/4)	NW (1/4)	SW (1/4)	SE (1/4)	NE (1/4)	NW (1/4)	SW (1/4)	SE (1/4)	NE (1/4)	NW (1/4)	SW (1/4)	SE (1/4)	NE (1/4)	NW (1/4)	SW (1/4)	SE (1/4)	Acres								
31	26	31	40	40	40	40	40	38.04	37.91	40	40	37.79	37.66	40					471.4								
29	26	31	32.5	34	34	32.5	33	31.5	31.5	37									266								
2	27	31					30.83	30.83	30.83	30.83	30.83	30.83	30.83	30.83	30.83	30.83	30.83	30.83	369.96								
10	27	31	34	34	34	34									40	40	40	40	296								
30	26	31	32.5	32.5	32.5	32.5	40	39.96	38	40	40	38.04	38.08	40	32.5	32.5	32.5	32.5	574.08								
33	26	31					34	34	34	34	31.5	31.5	31.5	31.5	31.5	31.5	31.5	31.5	388								
3	27	31	34	34	34	34	34	34	34	34					34	34	34	34	408								
4	27	31	34	34	34	34													136								
28	26	31													34	34	34	34	136								
20	26	31									33	33	33	33	32.5	32.5	32.5	32.5	262								
3	27	30					34	34	34	34									136								
																	Grand T	otal Acres	3443.44								
Addi	tional	Bound	ary Not	es:																							
NR#	Legal			Note																							
3796	31-265	-31W		L-1 (NW	NW), L-2 (	sw nw),	L-3 (NW S	W), L-4 (9	SW SW)																		
12302	31-s6S	-31W					L-3 (NW S																				
12583	30-26s	-31w					-3 (NWSW	100																			
6609	3-27s-3	31w			NE) L-2(N	-	,	•	,																		
2487	31-26s	-31w		L-1 (NW	NW) 1-21	SW NW)	L-3 (NW S	W) 1-419	IMP ME																		

## Amended map of Authorized Place of Use within the WCA

(with the removal of WR# 18144 in section 21.)



# Amended Kleysteuber Farms WCA Historic Use.

(WR# 18144 was removed and below shows the new legal average use and annual authorized quantity.)

# Kleysteuber Farms WCA Pumping Wells Summary

"Legal Ave Water Use"- A historical average calculated only using water use reports of equal or less than the annual authorized quantity.

WR#	ID#	PDIV#	Location (Sect, Twn, Range)	Historical Period (20XX- 20XX)
3796	5	15752	31-26s-31w	03-12
10863	4	75319	29-26s-31w	03-12
23983	3	18439	29-26s-31w	03-12
12302	2	15987	31-26S-31W	03-12
12583	1	31911	30-26s-31w	03-12
16187	3	64385	30-26s-31w	03-12
16609	5	67181	3-27s-31w	03-12
18877	6	70619	3-27s-31w	03-12
22487	4	5599	31-26s-31w	03-12
23724-DA	2	9668	28-26s-31w	03-12
23724-DA	3	11442	33-26s-31w	03-12
30521	2	25627	20-26s-31w	03-12
30521	3	36497	20-26s-31w	03-12

Historical Use Summary							
2018 Annual Auth Qty (AF)	Legal Ave WU (AF)	Ave Irr Acres	Actual AI/Acre	% Use of Authorized			
3,544	2,500.456	1,950.30	15.44	71%			

Recent Water Use Reports							
2015 Use	2016 Use	2017 Use	2017 Acres				
2,306.591	1,713.845	1,717.00	1,950.00	AF			
65% 48%		48%	NA	% of Auth			
	Annual WCA Allocation (10% Conservation)						
	Annual WCA Allocation	Reduction from Ave Use	% of Authorized	Est. Acre- Inch (2017 Acres)			
Totals	2,250.411	250	63%	13.85			

no Klusto	Date: 4-1-19
KLEYSTEUBER & GILLEN INC, Owner	
	, 23983, 12132, 12302, 17134, 18144, 22487,
22889-D1, 23181, 23724-DA, 30521	
13060 S County Road 20, Garden City KS.	, 67846-9711
Full Mailing Address	
Email Address	Phone Number
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State of Kansas )	
) SS	
County of SUNEY )	
Acknowledged before me on	an: 12019
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by VENNES SLEGGSTEUBE	R.
Signature:	
Notary Public	
	KEVIN L. SALTER
0/	My Appointment Expires November 2, 2021
My commission expires:	0-2019

WCA, if applicable.	
Sem Kanling	Date: <u>4-1-19</u>
DENNIS & JANICE KLEYSTEUBER JOINT RI	EV TRUSTS, Owner (Signature)
Water Right No(s). 11374, 14734, 18680, 277	10
<u> 2113 CENTER ST APT #1, GARDEN CITY, KS</u>	5 67846
Full Mailing Address	
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Email Address	r none number
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State of Kansas )	
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County of Franky ) SS	
County of Franky ) SS	2019
County of Tanky ) SS  Acknowledged before me on April	20/9
County of Franky ) SS	20/9
County of TENNEY ) SS  Acknowledged before me on April by PHINES (LEYSTRAPER	20/9
County of TENNEY ) SS  Acknowledged before me on April  by PLANET (LEYSTEARER  Signature:	20/9
County of TENNEY ) SS  Acknowledged before me on April by PHINES (LEYSTRAPER	· ·
County of TENNEY ) SS  Acknowledged before me on April  by PLANET (LEYSTEARER  Signature:	KEVIN L. SALTER
County of Tenney ) SS  Acknowledged before me on April  by Prover (1875) Tenner  Signature: Notary Public	KEVIN L. SALTER My Appointment Expires
County of TENNEY ) SS  Acknowledged before me on April  by PLANET (LEYSTEARER  Signature:	KEVIN L. SALTER My Appointment Expires

FOR THE PARTICIPANTS: By signing this addendum, we the undersigned, hereby agree to the

amendments made to the Kleysteuber Farms Water Conservation Area. All other terms and conditions of the Kleysteuber Farms WCA management Plan are still in effect and agreed to. We also agree, as owners, that water rights remaining may be removed by written request to the Chief Engineer designating the water right(s) to be removed, lands to be removed, and needed adjustments to overall allocations and flexibilities provided to such water rights. Such adjustment shall be proportional to the water right(s) removed and total authorization by the WCA, if applicable Date: 4/1/19 K2 INVESTMENTS LLC, Owner (Signature) Water Right No(s). 16,187; 12,583 6310 OLD POST ROAD, GARDEN CITY KS, 67846 Full Mailing Address Phone Number Email Address ACKNOWLEDGMENT OF NOTARY State of Kansas Acknowledged before me on \_ Notary Public November 2, 2021 My Appointment Expline My commission expires: 2 /lov 2021

Magh	Date: 4/1/19
JOHN KLEYSTEUBER, Owner (Signature)	7101
Water Right No(s). 16609	ř.,
13060 S COUNTY ROAD 20, GARDEN CITY, K Full Mailing Address	S 67846
Email Address	Phone Number

**ACKNOWLEDGMENT OF NOTARY** 

State of Kansas

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County of 7

County of 121012

Acknowledged before me on

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Notary Public

My commission expires:

(Notary Seal)

NOTARY PUBLIC

KEVIN L. SALTER My Appointment Expires November 2, 2021

Jenn X Vintal	Date: 4-1-19
DENNIS KLEYSTEUBER, Owner (Signature)	
Water Right No(s). 16609	
2113 CENTER ST APT 1, GARDEN CITY, KS 67	7846-3559
Full Mailing Address	
Email Address	Phone Number
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State of Kansas )	OGMENT OF NOTARY
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State of Kansas  ) SS  County of FEWNEY )	
State of Kansas  ) SS  County of TENNEY  Acknowledged before me on / April 2	
State of Kansas  ) SS  County of FEWNEY )	
State of Kansas  ) SS  County of TENNEY  Acknowledged before me on India  by Dennes Kleystenber  Signature:	
State of Kansas  ) SS  County of TENNEY  Acknowledged before me on April 2  by Dennes Kleystenber	
State of Kansas  ) SS  County of TENNEY  Acknowledged before me on India  by Dennes Kleystenber  Signature:	

WCA, if applicable.	
1. 20/1	
Leng Klanball	Date: 4-1-19
KLEYSTEUBER CATTLE CO INC, Owner (Sig	nature)
Water Right No(s). 18877	
13060 S COUNTY ROAD 20, GARDEN CITY, E	XS 67846
Full Mailing Address	
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Email Address	Phone Number
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State of Kansas )	
) SS	
County of TENNEY )	A
Acknowledged before me on / ymil	2019
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by DENNES (LESSTEUBER	<u>.</u>
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Signature:	
Notary Public	
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$\sim \sim $	KEVIN L. SALTER My Appointment Expires
My commission expires: 2 Mov 20	November 2, 2021
My commission expires.	/ (I

#### FOR THE KANSAS DEPARTMENT OF AGRICULTURE:

David W. Barfield, P.E.

Chief Engineer

Division of Water Resources

Kansas Department of Agriculture

### **ACKNOWLEDGMENT OF NOTARY**

State of Kansas )	
) SS	
County of Riley )	
Acknowledged before me on 4/29/6	2019
by David w Barfield	<u>.</u>
Signature: Lang Klub	-
Notary Public	
NOTARY	KAREN HUNTER
My commission expires: (Notary)	My Appointment Expires  October 24, 2022
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## **CERTIFICATE OF SERVICE**

I hereby certify that on this day of U.S. mail, to the following:	, 20	_, copies of the foregoing were sent via first class
KLEYSTEUBER & GILLEN INC 13060 S COUNTY ROAD 20 GARDEN CITY KS, 67846-9711		
DENNIS & JANICE KLEYSTEUBER JO 2113 CENTER ST APT #1 GARDEN CITY, KS 67846	OINT REV	TRUSTS
KS INVESTMENTS LLC 6310 OLD POST ROAD GARDEN CITY, KS 67846		
JOHN KLEYSTEUBER 13060 S COUNTY ROAD 20 GARDEN CITY, KS 67846		
DENNIS KLEYSTEUBER 2113 CENTER ST APT 1 GARDEN CITY, KS 67846-3559		
KLEYSTEUBER CATTLE CO INC 13060 S COUNTY ROAD 20 GARDEN CITY, KS 67846		
Copies furnished electronically to:		
Groundwater Management District No. 3 Water Commissioner, Garden City Field Office		
		Cansas Department of Agriculture Staff Person