

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

IN THE MATTER OF:)

Wichita County Water Conservation Area)
Wichita County, KS)

Water Right File Nos. 1999, 7331)

**CONSENT AGREEMENT TO PARTICIPATE IN THE WICHITA COUNTY
WATER CONSERVATION AREA**

The Wichita County Water Conservation Area

The Chief Engineer of the Kansas Department of Agriculture, Division of Water Resources (“Chief Engineer”) and a group of water right owners, in Wichita County, Kansas have conferred in good faith and have reached an agreement on the designation of the Wichita County Water Conservation Area (“WCWCA”), pursuant to K.S.A. 82a-745.

On March 7, 2017 the WCWCA was created by order of the Chief Engineer.

This document and its addendum, all previous amendments to the order designating the WCWCA approved by the Chief Engineer, and attached WCWCA Management Plan, as amended by the participants and the Chief Engineer, serves as a consent agreement among the Chief Engineer and the undersigned water right owner(s) to enroll water rights in the Wichita County Water Conservation Area (“WCWCA”) and to be bound by the terms and conditions of the WCWCA Management Plan, as amended.

Term of Agreement

The term of this agreement is seven (7) years. This agreement will automatically renew for seven (7) additional years pursuant to the terms of the WCWCA Management Plan, as amended, unless the participant(s) submits a request to forgo renewal.

Corrective Control Provisions and Plan for Conservation

The attached WCWCA Management Plan, as amended, is incorporated and made part of this agreement, and sets forth the corrective control provisions and plan for conservation, rules for establishing water allocations and for using water while participating in the WCWCA.

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Addendum to this Agreement

The attached addendum is incorporated and made a part of this agreement, and includes these features for each water right subject to this agreement:

1. Agreement of years of participation.
2. All points of diversion and associated water right files numbers.
3. All places of use by legal location description.
4. A map of the boundaries of each management unit, locations of each point of diversion place of use, and approximate locations of any water pipelines.
5. Summary of water use history, 2009-2015, of participating water rights/points of diversion.
6. Summary of Annual Quantity of Permissible Groundwater Withdrawal, as defined in the WCWCA Management Plan, for the seven-(7) year term of the consent agreement.

A new addendum will be prepared and signed by participants and the Chief Engineer for subsequent renewal periods consistent with the terms herein and the WCWCA Management Plan, as amended.

Participant's Agreement

This agreement is fair and equitable.

This agreement, entered into by the Chief Engineer and participants, is the expressed written intent of the parties and the whole agreement between the parties.

The provisions of this agreement shall be construed to give effect to the provisions of the WCWCA Management Plan, as amended.

This agreement may be modified as set forth in the terms of the WCWCA Management Plan, as amended, and pursuant to written agreement of the participants and the Chief Engineer.

This agreement shall be applied to and enforceable against any and all heirs, assigns, purchasers, or successors-in-interest, unless the participants and Chief Engineer otherwise agree pursuant to modifications hereto. A copy of this agreement and Order Designating a WCA shall be filed with the register of deeds in Wichita County.

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, participants waive all rights to a hearing on or appeal of this agreement and Order Designating a Water Conservation Area.

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FOR THE PARTICIPANTS: The participating water right owner has signed below, affirming his/her consent to the designation of the Water Conservation Area described herein.

Debra K Ames

Date: 1/11/18

Debra K Ames, Owner (Signature)
Water Right No(s). 1999, 7331

P.O. Box 21 Leoti, KS 67861
Full Mailing Address

ss396@fairpoint.net
Email Address

620-874-4233
Phone Number

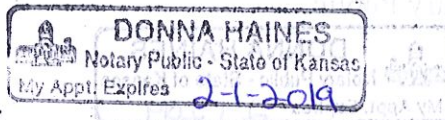
ACKNOWLEDGMENT OF NOTARY

State of Kansas)
) SS
County of Wichita)

Acknowledged before me on 1-11-2018

by Debra K. Ames

Signature: Donna Haines
Notary Public



My commission expires: _____
(Notary Seal)

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ADDENDUM TO THE WICHITA COUNTY WATER CONSERVATION AREA CONSENT AGREEMENT AND ORDER

WCA Beginning Year: 2018 WCA Ending Year: 2024 WCA Total Years: 7

All listed water rights will be designated as a management unit: YES

WR#(s): 1999, 7331

Use Made of Water (Circle): Irrigation

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

Authorized Point of Diversion Water Right # : 1999

One well located in the SW Quarter of the NW Quarter of the NW Quarter (SW¹/₄NW¹/₄NE¹/₄) of Section 26, Township 16 South, Range 37 West, Wichita County, Kansas.

Authorized Point of Diversion Water Right # : 7331

One well located in the NW Quarter of the NW Quarter of the NE Quarter (NW¹/₄NW¹/₄NE¹/₄) of Section 26, Township 16 South, Range 37 West, Wichita County, Kansas.

Authorized Place of Use:

S	T	R	NE ¼ (acres)				NW ¼ (acres)				SW ¼ (acres)				SE ¼ (acres)				Total Acres
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
26	16	37	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	320

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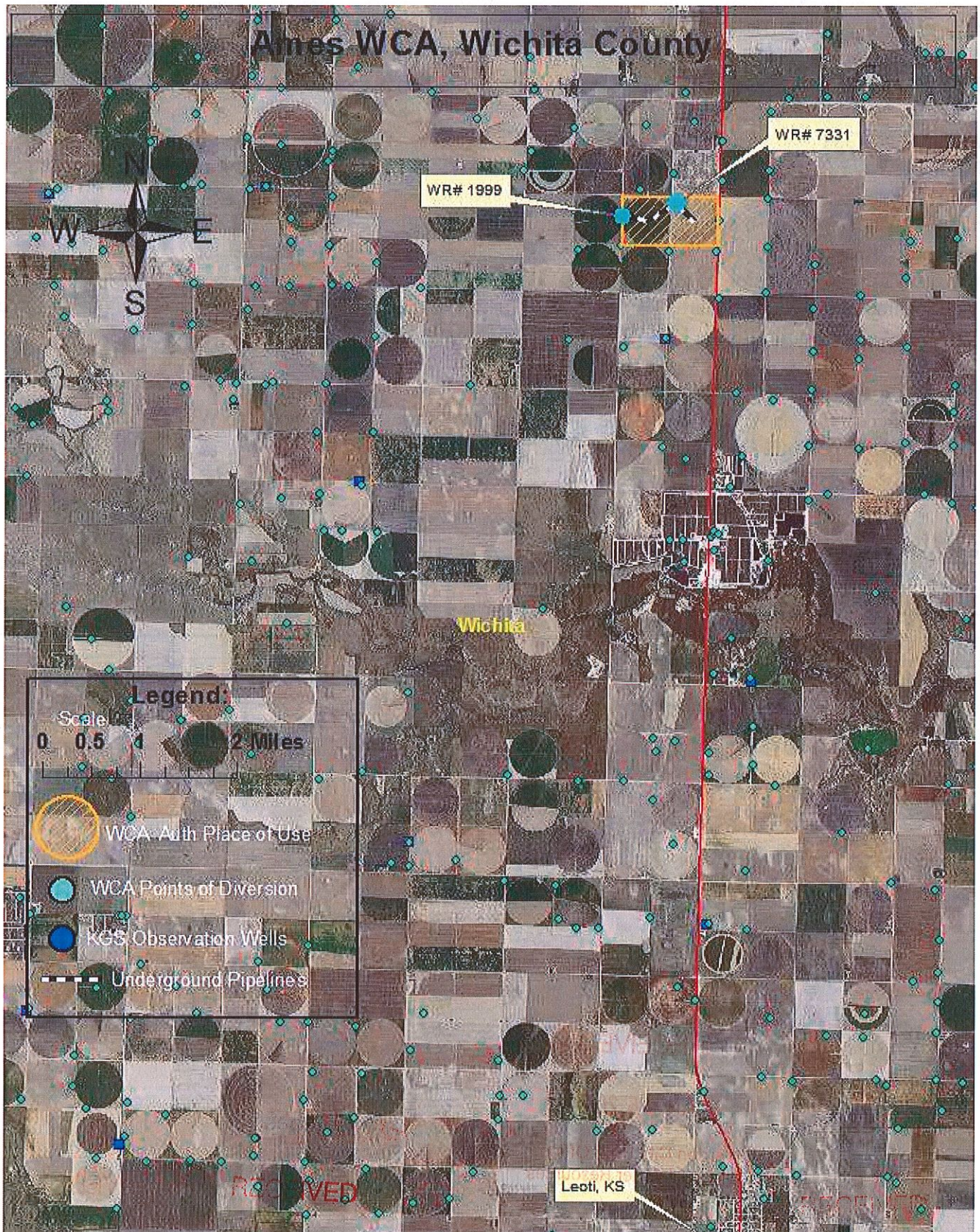
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KDA-DWR Map indicating WCA/Management Area Boundary, Point(s) of Diversion, Place(s) of Use, and Existing Pipelines as of (1/8/2018)

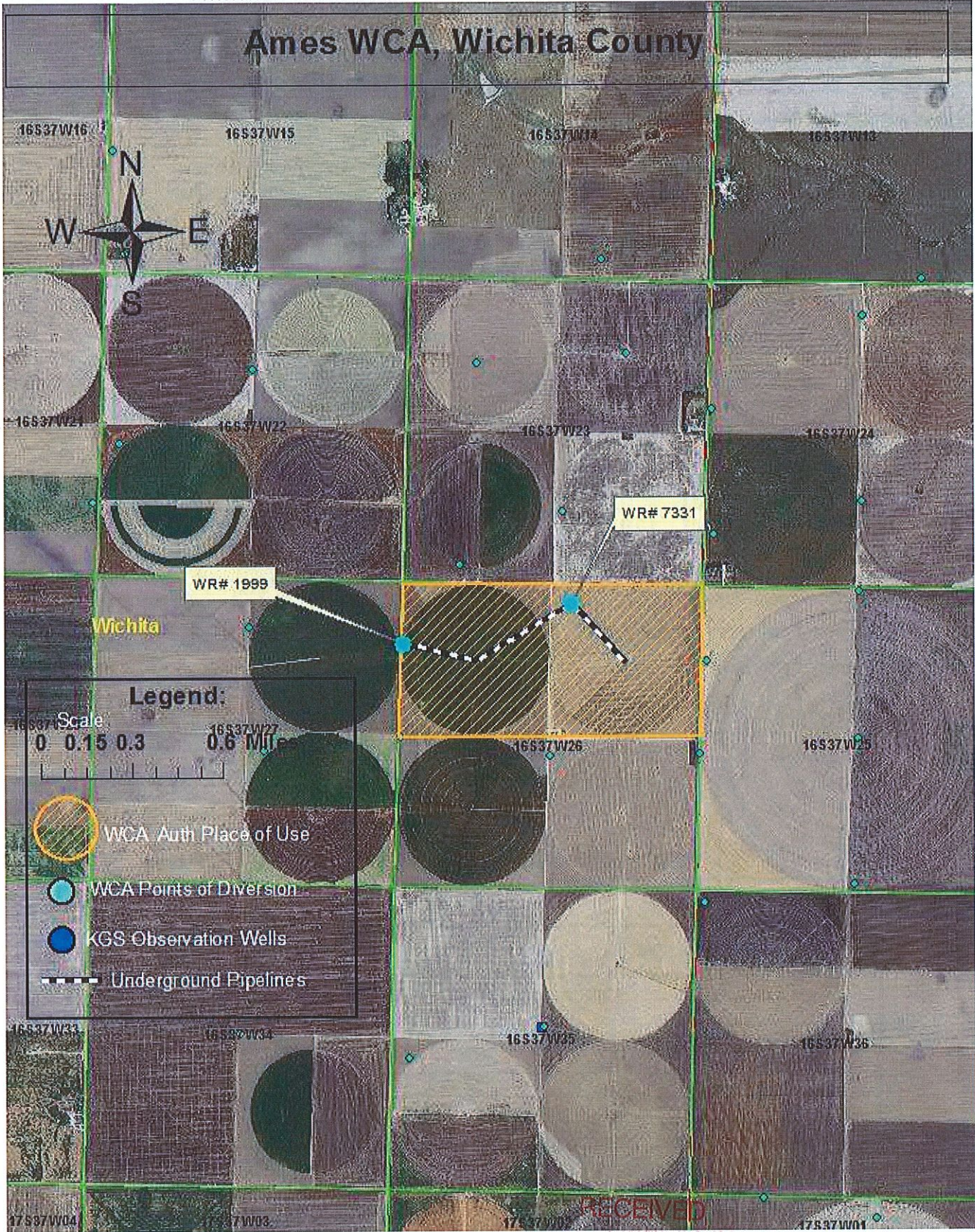


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Ames WCA, Wichita County



Legend:

Scale
0 0.15 0.3 0.6 Miles

- WCA Auth Place of Use
- WCA Points of Diversion
- KGS Observation Wells
- Underground Pipelines

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WCWCA 2009-2015 Water Use History

WR#	ID#
1999	1
Base WR Allocation	
640	AF
Year	AF Used
2009	181.90
2010	59.52
2011	203.42
2012	139.82
2013	54.73
2014	128.89
2015	59.40

Total Use 827.676 AF
Ave Use 118.239 AF

*Notes:

WR#	ID#
7331	2
Base WR Allocation	
295	AF
Year	AF Used
2009	137.94
2010	35.28
2011	146.07
2012	97.54
2013	37.48
2014	36.91
2015	19.55

Total Use 510.772 AF
Ave Use 72.967 AF

*Notes:

2009-2015 Total Water Use
1338.447 AF

Average Water Use of all listed WR's:
191.207 AF

WCWCA Annual Quantity of Permissible Groundwater Withdrawal:
For Enrollment in 2018

Allocation Year	Reduction %	Yrs Remaining in Reduction %	Factor	WCA Allocation (AF)
2018	30%	7	0.70	267.689
2019	30%	6	0.70	133.845
2020	30%	5	0.70	133.845
2021	30%	4	0.70	133.845
2022	30%	3	0.70	133.845
2023	30%	2	0.70	133.845
2024	36%	1	0.64	0.000

Total 7-Year Permissible Groundwater Withdrawal (AF) = 936.913

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FOR THE PARTICIPANTS: By signing this addendum, I the undersigned, hereby agree to participate in the Wichita County Water Conservation Area (WCWCA) in Wichita County, Kansas. I will hold myself accountable to the allocation(s) listed in this addendum as part of this Water Conservation Area (WCA). I have read the Wichita County WCA Consent Order and Agreement in its entirety. I agree to abide to the rules and regulations stated within the Wichita County WCA Consent Order and Agreement and requirements of this addendum.

Steven A. Ames

Date: 1-11-18

Steven A Ames, Owner (Signature)
Water Right No(s). 1999, 7331

PO Box 21 Leoti, KS 67861
Full Mailing Address

SS 396 @ Fairpoint.NET 620-874-1439
Email Address Phone Number

ACKNOWLEDGMENT OF NOTARY

State of Kansas)
) SS
County of Wichita)
Acknowledged before me on 1-11-2018
by Steven A. Ames

Signature: Donna Haines
Notary Public



My commission expires: _____
(Notary Seal)

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FOR THE PARTICIPANTS: By signing this addendum, I the undersigned, hereby agree to participate in the Wichita County Water Conservation Area (WCWCA) in Wichita County, Kansas. I will hold myself accountable to the allocation(s) listed in this addendum as part of this Water Conservation Area (WCA). I have read the Wichita County WCA Consent Order and Agreement in its entirety. I agree to abide to the rules and regulations stated within the Wichita County WCA Consent Order and Agreement and requirements of this addendum.

Debra K. Ames Date: 1/11/18

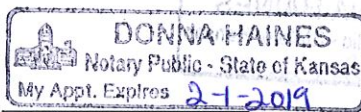
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FOR THE KANSAS DEPARTMENT OF AGRICULTURE:

David W Barfield

David 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 1/22/18
by David Barfield

Signature: Karen Hunter
Notary Public



My commission expires: _____
(Notary Seal)

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CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of January, 2018, copies of the foregoing were sent via first class, U.S. mail, to the following:

Steven A & Debra K Ames
P.O. Box 21
Leoti, KS 67861

Copies furnished electronically to:

Groundwater Management District No. 1

Water Commissioner, Garden City Field Office

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KS Dept Of Agriculture

Julie Jones
Kansas Department of Agriculture
Staff Person

