

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

IN THE MATTER OF:)
Wichita County Water Conservation Area)
Wichita County, Kansas)

Water Right File Nos. 9,637 & 21,545

**CORRECTIONAL ORDER REGARDING THE WICHITA COUNTY WATER
CONSERVATION AREA CONSENT AGREEMENT AND ADDENDUM FOR
WATER RIGHT FILE NOS. 9,637 and 21,545**

COMES NOW, David W. Barfield, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture (“Chief Engineer”) and hereby finds the following:

That by order dated March 7, 2017, the Chief Engineer designated the Wichita County Water Conservation Area, which provided for participation by water rights within the designated area by consent agreement.

That by such a consent agreement and an attached addendum (“Agreement”), approved by the Chief Engineer and dated August 25, 2017, the Joseph F. Bauck Jr. Trust and the Lisha A. Bauck Trust, as sole verified owners, placed Water Right File Nos. 9,637 and 21,545 (“Water Rights”) into the Wichita County Water Conservation Area.

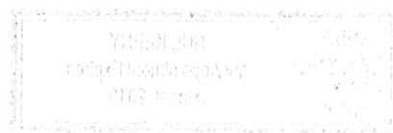
That in the Agreement, the place of use described for the Water Rights was incorrectly described as being:

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	
07	16s	36w	30.5	40	40	30.5	40	30.5	30.5	40									282

a total of 282 acres in Section 07, Township 16 South, Range 36 West, Wichita County, Kansas, but that in all other regards, the information contained in the Agreement is true and accurate.

That based on evidence presented to the Chief Engineer, the actual place of use for the Water Rights is as follows:

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	
33	16s	38w	30.5	40	40	30.5	40	30.5	30.5	40									282



SEP 8 2017

Garden City Field Office
Division of Water Resources

a total of 282 acres in Section 33, Township 16 South, Range 38 West, Wichita County, Kansas.

NOW THEREFORE, the Chief Engineer hereby orders that the error in the place of use contained in the Agreement dated August 25, 2017, which relates to Water Right File Nos. 9,637 and 21,545 shall be corrected as stated above in this Correctional Order. The same should be and is hereby corrected now, as of then, to show the correct legal description of the authorized place of use. In all other respects, the information contained in the Agreement shall remain as initially set forth and approved.

IT IS SO ORDERED THIS _____ DAY OF _____, 2017, IN MANHATTAN, RILEY COUNTY, KANSAS.

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

FOR THE PARTICIPANT:

The participating water right owners have signed below, affirming their consent to the correction described herein regarding their Consent Agreement and Addendum, dated August 25, 2017 regarding the Wichita County Water Conservation Area.

Further, pursuant to the Kansas Administrative Procedures 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 or appeal of this agreement and Correctional Order.

Joseph F. Bauck Jr.
JOSEPH F. BAUCK JR. TRUST

Date: 9-8-17

RECEIVED

Lisha A. Bauck
LISHA A. BAUCK TRUST

Date: 9-8-17

SEP 8 2017

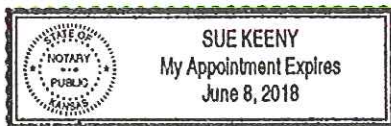
Garden City Field Office
Division of Water Resources

ACKNOWLEDGMENT

State of Kansas)
)
County Finney)

This instrument was acknowledged before me this 8th day of September, 2017.

by Sue Keeny



CERTIFICATE OF SERVICE

I hereby certify that on this ____ day of _____, 2017, true and correct copies of the foregoing were sent via first class, U.S. mail, to the following:

Joseph F. Bauck Jr. & Lisha A. Bauck Trusts
646 N County Rd 8
Leoti, Kansas 67861-6154

Copies furnished electronically to:

Groundwater Management District No. 1
Water Commissioner, Garden City Field Office

Kansas Department of Agriculture
Staff Person

RECEIVED

SEP 8 2017

Garden City Field Office
Division of Water Resources

