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. 8833, 21297, & 22684

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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Garden City Field Office
Division of Water Resources
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.
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.
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.

GRANVILLE KOEHN, Owner (Signature)  
Date: 4-25-18
Water Right No(s). 8833, 21297, & 22684

SECTION 16 WELLS 706 MONROE CT SCOTT CITY, KS 67871  
Full Mailing Address

Email Address ______________________  Phone Number ______________________

ACKNOWLEDGMENT OF NOTARY

State of Kansas
County of ____________  
Acknowledged before me on April 25, 2018
by Granville Koehn

Signature: ______________________
Notary Public

My commission expires: ____________  
(Notary Seal)

RECEIVED

APR 25 2018

Garden City Field Office  
Division of Water Resources
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.

[Signature]
Date: 4-25-19

JONAS E KOEHN INDENTURE OF TRUST, Owner (Signature)
Water Right No(s). 22684

GRANVILLE KOEHN, RR BOX 96 MARIENTHAL KS 67863
Full Mailing Address

Email Address
Phone Number

ACKNOWLEDGMENT OF NOTARY
State of Kansas )
County of [Ximney] ) SS
Acknowledged before me on April 25, 2018
by Granville Koehn.

Signature: [Signature]
Notary Public

My commission expires: [Notary Seal]
FOR THE KANSAS DEPARTMENT OF AGRICULTURE:

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

ACKNOWLEDGMENT OF NOTARY

State of Kansas
County of Rlder
Acknowledged before me on 5/2/2018
by David W. Barfield.
Signature: 
Notary Public

My commission expires: 
(Notary)

CERTIFICATE OF SERVICE

I hereby certify that on this ______ day ______ of 20__, copies of the foregoing were sent via first class, U.S. mail, to the following:

GRANVILLE KOEHN
SECTION 16 WELLS
706 MONROE CT
SCOTT CITY KS 67871

JONAS E KOEHN INDENTURE OF TRUST
GRANVILLE KOEHN
RR BOX 96
MARIENTHAL KS 67863

Copies furnished electronically to:
Groundwater Management District No. 1
Water Commissioner, Garden City Field Office

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APR 25 2018

Garden City Field Office
Division of Water Resources

Kansas Department of Agriculture
Staff Person
WCA Beginning Year: 2017  WCA Ending Year: 2023  WCA Total Years: 7

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

WR#(s): 8833, 21297, & 22684

Use Made of Water (Circle): Irrigation

Overlapping water right(s) on any points of diversion (well): 8833 & 21297

Authorized Point of Diversion Water Right #8833
One well located in the _SW__ Quarter of the _NW__ Quarter of the _SE__ Quarter (SW¼NW¼SE¼) of Section 16, Township 16 South, Range 35 West, Wichita County, Kansas. A second well located in the _S2__ Quarter of the _S2__ Quarter of the _SE__ Quarter (S2¼S2¼SE¼) of Section 16, Township 16 South, Range 35 West, Wichita County, Kansas. A third well in the _SW__ Quarter of the _SW__ Quarter of the _SW__ Quarter (SW¼SW¼SW¼) of Section 16, Township 16 South, Range 35 West, Wichita County, Kansas. A fourth well located in the _CW__ Quarter of the _SW__ Quarter of the _SE__ Quarter (CW¼SW¼SE¼) of Section 16, Township 16 South, Range 35 West, Wichita County, Kansas.

Authorized Point of Diversion Water Right #21297
One well located in the _SW__ Quarter of the _NW__ Quarter of the _SE__ Quarter (SW¼NW¼SE¼) of Section 16, Township 16 South, Range 35 West, Wichita County, Kansas. A second well located in the _S2__ Quarter of the _S2__ Quarter of the _SW__ Quarter (S2¼S2¼SW¼) of Section 16, Township 16 South, Range 35 West, Wichita County, Kansas. A third well located in the _SW__ Quarter of the _SW__ Quarter of the _SW__ Quarter (SW¼SW¼SW¼) of Section 16, Township 16 South, Range 35 West, Wichita County, Kansas. A fourth well located in the _NC__ Quarter of the _SE__ Quarter (NC¼SE¼) of Section 16, Township 16 South, Range 35 West, Wichita County, Kansas.

Authorized Point of Diversion Water Right #22684
One well located in the _SW__ Quarter of the _SW__ Quarter of the _SE__ Quarter (SW¼SW¼SE¼) of Section 16, Township 16 South, Range 35 West, Wichita County, Kansas.

Authorized Place of Use:

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<th>SW ¼ (acres)</th>
<th>SE ¼ (acres)</th>
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APR 25 2018
Garden City Field Office
Division of Water Resources
### WWCWA 2009-2015 Water Use History

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*Notes: 992 AF/YR COM/W #8833 & #21297
*Notes: Overlap PD with 21297-1

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*Notes: Overlap PD with 21297-3

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*Notes: Overlap PD with 21297-3

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*Notes: None

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APR 2 5 2018

Garden City Field Office
Division of Water Resources
2009-2015 Total Water Use | Average Water Use of all listed WR's:
1589.680 AF | 330.385 AF

WCWCA Annual Quantity of Permissible Groundwater Withdrawal:
For Enrollment in 2017

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<th>Allocation Year</th>
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<th>Yrs Remaining in Reduction %</th>
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Total 7-Year Permissible Groundwater Withdrawal (AF) = 1642.016

Additional WCA Note:
The Annual Quantity of Permissible Groundwater Withdrawal does not include years of no use. The well in the Southeast Quarter of Section 16 (WR#8833-2 and WR#21297-2) is no longer in use and will not be included as part of the management unit.
DIVISION OF WATER RESOURCES -- KANSAS DEPARTMENT OF AGRICULTURE

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 by the rules and regulations stated within the Wichita County WCA Consent Order and Agreement and requirements of this addendum.

Date: 4-25-18

GRANVILLE KOEHN, Owner (Signature)
Water Right No(s). 8833, 21297, 22684

SECTION 16 WELLS 706 MONROE CT SCOTT CITY, KS 67871
Full Mailing Address

Email Address

Phone Number

ACKNOWLEDGMENT OF NOTARY

State of Kansas )
SS
County of Finney )
Acknowledged before me on April 25, 2018
by Granville Koehn

Signature: Julie Jones
Notary Public

My commission expires: December 15, 2018
(Notary Seal)

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APR 25 2018
Garden City Field Office
Division of Water Resources

Page 6 of 8
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.

[Signature]
Date: 4-25-18

JONAS E KOEHN
INDENTURE OF TRUST, Owner (Signature)
Water Right No(s). 22684

GRANVILLE KOEHN, RR BOX 96 MARIENTHAL KS 67863
Full Mailing Address

Email Address
Phone Number

ACKNOWLEDGMENT OF NOTARY

State of Kansas )
County of ) SS
Acknowledged before me on April 25, 2018 by Granville Koehn
Signature: Julie Jones
Notary Public

My commission expires: (Notary Seal)

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APR 25 2018

Page 7 of 8
FOR THE KANSAS DEPARTMENT OF AGRICULTURE:

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

ACKNOWLEDGMENT OF NOTARY

State of Kansas  )
County of  ) SS
Acknowledged before me on 5/2/2018
by David W. Barfield

Signature: ________________________
Notary Public

My commission expires: ________________
(Notary Seal)

CERTIFICATE OF SERVICE

I hereby certify that on this ______ day of _________, 20____, copies of the foregoing were sent via first class, U.S. mail, to the following:

GRANVILLE KOEHN
SECTION 16 WELLS
706 MONROE CT
SCOTT CITY KS 67871

JONAS E KOEHN INDENTURE OF TRUST
GRANVILLE KOEHN
RR BOX 96
MARIENTHAL KS 67863

Copies furnished electronically to:
Groundwater Management District No. 1
Water Commissioner, Garden City Field Office

KANSAS DEPARTMENT OF AGRICULTURE
Staff Person

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APR 25 2018
Garden City Field Office
Division of Water Resources

Page 8 of 8
WAIVER REQUEST TO EXTEND THE WICHITA COUNTY WATER CONSERVATION AREA 2017 SIGNUP DEADLINE
Water Right, File Nos. 8833, 21297, 221684

Page 12 of the Wichita County Water Conservation Area Management Plan under the Participant Addition, Withdrawal, and Removal section states, “Participants may apply for entry into the Wichita County Water Conservation Area at any time. All WCA Agreements shall be effective beginning January 1 of the calendar year following the year of application or prior to October 1 of the calendar year when the application is submitted.”

This is a formal request that the Wichita County Water Conservation Area Interim Board and Chief Engineer waive the above deadline of October 1st, 2017. I would like to be considered for the Wichita County Water Conservation Area with 2017 as my first year of participation. If accepted, I will submit my application and Consent Agreement and Order to the Chief Engineer before May 1, 2018.

By signing this waiver, I the undersigned, hereby request to participate in the Wichita County Water Conservation Area (WCWCA) in Wichita County, Kansas and request to waive the October 1, 2017 signup deadline to begin participation in 2017. I agree to abide by the rules and regulations stated within the Wichita County WCA should my waiver be accepted and I submit the necessary paperwork to the Chief Engineer by May 1, 2018.

Owner Name, Owner (Signature)

Email Address

Phone Number

RECEIVED

APR 25 2018

Garden City Field Office
Division of Water Resources
The Wichita County Water Conservation Area Interim Board approves and recommends this waiver of the October 1, 2017 signup deadline for participation beginning on January 1, 2017 for the following reasons:

Producer exhibited conservation through EQUIT enrollment.

The Wichita County Water Conservation Area Interim Board does not approve and recommend this waiver of the October 1, 2017 signup deadline for participation beginning on January 1, 2017 for the following reasons:

FOR THE WICHITA COUNTY WCA INTERIM BOARD: By signing, I the undersigned, hereby submit the recommendations of the attached waiver to the Chief Engineer on behalf of the Wichita County Water Conservation Area Interim Board.

[Signature]
Date: 4/25/2017

Board Member Name/Position, Wichita County WCA Interim Board Member (Signature)

Email Address

Phone Number

RECEIVED

APR 25 2018

Garden City Field Office
Division of Water Resources