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

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, its addendum, and attached WCWCA Management Plan 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.

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 unless the participant(s) submits a request to forgo renewal.

Corrective Control Provisions and Plan for Conservation

The attached WCWCA Management Plan 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.

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.

**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.

This agreement may be modified as set forth in the terms of the WCWCA Management Plan 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 PARTICIPANT:**

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

[Signature]

Date: 9-22-17

HOWARD D HOBSON, Owner(s)
Water Right No(s). 4,172

**RECEIVED**

SEP 27 2017

Garden City Field Office
Division of Water Resources
FOR THE KDA:

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

ACKNOWLEDGMENT

State of Kansas
County of Riley

This instrument was acknowledged before me on October 2, 2017
by Karen Hunter.

CERTIFICATE OF SERVICE

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

Howard Hobson
1650 Fillmore St., #1101
Denver, CO 80206-0000

165 Lovell Ave SW, Bainbridge Island, WA 98110

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

Kansas Department of Agriculture
Staff Person
DIVISION OF WATER RESOURCES -- KANSAS DEPARTMENT OF AGRICULTURE

ADDENDUM TO THE WICHITA COUNTY WATER CONSERVATION AREA

CONSENT AGREEMENT AND ORDER

WCA Beginning Year: 2017  WCA Ending Year: 2023  WCA Total Years: 7.

All listed water rights will be designated as a management unit: NO

WR#: 4172  Use Made of Water (Circle): Irrigation

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

Authorized Point of Diversion: one well located in the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW¼NW¼NW¼) of Section 29, more particularly described as being near a point 4880 feet North and 5160 feet West of the Southeast corner of said section, Township 16 South, Range 37 West, Wichita County, Kansas.

Authorized Place of Use:

<table>
<thead>
<tr>
<th></th>
<th>NE ¼ (acres)</th>
<th>NW ¼ (acres)</th>
<th>SW ¼ (acres)</th>
<th>SE ¼ (acres)</th>
<th>Total Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>S</td>
<td>T</td>
<td>R</td>
<td>NE</td>
<td>NW</td>
<td>SW</td>
</tr>
<tr>
<td>29</td>
<td>16S</td>
<td>37W</td>
<td>40</td>
<td>40</td>
<td>40</td>
</tr>
</tbody>
</table>

Page 1 of 5
WCWCA 2009-2015 Water Use History

<table>
<thead>
<tr>
<th>WR#</th>
<th>ID#</th>
</tr>
</thead>
<tbody>
<tr>
<td>4172</td>
<td>4</td>
</tr>
</tbody>
</table>

Base WR Auth. Qty: 320 AF

<table>
<thead>
<tr>
<th>Year</th>
<th>AF Used</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009</td>
<td>108.46</td>
</tr>
<tr>
<td>2010</td>
<td>116.33</td>
</tr>
<tr>
<td>2011</td>
<td>125.71</td>
</tr>
<tr>
<td>2012</td>
<td>96.56</td>
</tr>
<tr>
<td>2013</td>
<td>170.65</td>
</tr>
<tr>
<td>2014</td>
<td>No Use</td>
</tr>
<tr>
<td>2015</td>
<td>No Use</td>
</tr>
</tbody>
</table>

Total Use: 617.709 AF
Ave Use: 123.542 AF

Notes:

2009-2015 Total Water Use: 617.709 AF
7-Yr Ave Water Use of all listed WR's: 123.542 AF

WCWCA Annual Quantity of Permissible Groundwater Withdrawal:

For Enrollment in 2017

<table>
<thead>
<tr>
<th>Allocation Year</th>
<th>Reduction %</th>
<th>Yrs Remaining in Reduction %</th>
<th>Factor</th>
<th>WCA Allocation (AF)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>100%</td>
<td>7</td>
<td>0.00</td>
<td>0.000</td>
</tr>
<tr>
<td>2018</td>
<td>100%</td>
<td>6</td>
<td>0.00</td>
<td>0.000</td>
</tr>
<tr>
<td>2019</td>
<td>100%</td>
<td>5</td>
<td>0.00</td>
<td>0.000</td>
</tr>
<tr>
<td>2020</td>
<td>100%</td>
<td>4</td>
<td>0.00</td>
<td>0.000</td>
</tr>
<tr>
<td>2021</td>
<td>100%</td>
<td>3</td>
<td>0.00</td>
<td>0.000</td>
</tr>
<tr>
<td>2022</td>
<td>100%</td>
<td>2</td>
<td>0.00</td>
<td>0.000</td>
</tr>
<tr>
<td>2023</td>
<td>100%</td>
<td>1</td>
<td>0.00</td>
<td>0.000</td>
</tr>
</tbody>
</table>

Total 7-Year Permissible Groundwater Withdrawal (AF) = 0.000 Acre-Feet

WCWCA Note:
At this time, the owner(s) of water rights 4172 have declared to not pump any water during the duration of the WCWCA period(s). Based on the WCWCA boundary map, it is shown that neighboring wells still have the ability to pump; therefore these wells listed under this WCWCA are showing a conservation effort as they have chosen not to pump recently and are official declaring, based on participating in this WCWCA, that they will continue to not pump groundwater.
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.

Name: HOWARD D HOBSON Signature: [Signature] Date: 9-22-17

Full Mailing Address: 1650 Fillmore St #1101, Denver CO 80206 Phone#: (303) 635-6331
165 Loveall Ave SW, Bainbridge Island, WA 98110

All participating water right owners have signed, each affirming their consent to the designation of the Wichita County Water Conservation Area described herein; and on the Wichita County WCA Consent Order and Agreement.

FOR THE KANSAS DEPARTMENT OF AGRICULTURE:

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

ACKNOWLEDGMENT OF ADDENDUM

State of Kansas

County of Riley

This instrument was acknowledged before me on October 2, 2017.

By Karen Hunter

KAREN HUNTER
My Appointment Expires
October 24, 2018

RECEIVED
SEP 27 2017
Garden City Field Office
Division of Water Resources
I hereby certify that on this ____ day of _________, 20____, true and correct copies of the foregoing were sent via first class, U.S. mail, to the following:

Howard Hobson
1650 Fillmore St. #1101
Denver, CO 80206-0000
165 Lovell Ave SE
Bainbridge Island WA 98110

Copies furnished electronically to:

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

______________________________
Kansas Department of Agriculture
Staff Person