

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.

WATER RESOURCES  
RECEIVED

RECEIVED

OCT 02 2017

SEP 27 2017

KS DEPT OF AGRICULTURE

Carden City Field Office  
Division of Water Resources

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.

### **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.

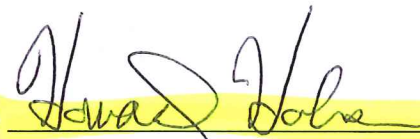
This agreement may be modified as set forth in the terms of the WCWCA Management Plan and pursuant to written agreement of the participants and the Chief Engineer.

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.

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

Date: 9-22-17

RECEIVED

SEP 27 2017

Garden City Field Office  
Division of Water Resources

FOR THE KDA:

David Barfield

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 Filmore 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

RECEIVED

WATER RESOURCES  
RECEIVED

\_\_\_\_\_  
Kansas Department of Agriculture  
Staff Person

SEP 27 2017

OCT 02 2017

Garden City Field Office  
Division of Water Resources

KS DEPT OF AGRICULTURE

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 (NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>) 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:**

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	
29	16S	37W					40	40	40	40									160

WATER RESOURCES  
RECEIVED

OCT 02 2017

RECEIVED

SEP 27 2017

KS DEPT OF AGRICULTURE

Garden City Field Office  
Division of Water Resources

**KDA-DWR Map indicating WCA/Management Area Boundary, Point(s) of Diversion, Place(s) of Use, and Existing Pipelines as of (7-27-2017)**



RECEIVED  
SEP 27 2017  
DIVISION OF AGRICULTURE

RECEIVED

SEP 27 2017

Garden City Field Office  
Division of Water Resources

WCWCA 2009-2015 Water Use History

WR#	ID#
4172	4
Base WR Auth. Qty	
320	AF
Year	AF Used
2009	108.46
2010	116.33
2011	125.71
2012	96.56
2013	170.65
2014	No Use
2015	No Use

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

Allocation Year	Reduction %	Yrs Remaining in Reduction %	Factor	WCA Allocation (AF)
2017	100%	7	0.00	0.000
2018	100%	6	0.00	0.000
2019	100%	5	0.00	0.000
2020	100%	4	0.00	0.000
2021	100%	3	0.00	0.000
2022	100%	2	0.00	0.000
2023	100%	1	0.00	0.000

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.

WATER RESOURCES  
 RECEIVED

OCT 02 2017

KS DEPT OF AGRICULTURE

RECEIVED

SEP 27 2017

Garden City Field Office  
 Division of Water Resources

**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.

Name: HOWARD D HOBSON Signature: *Howard D Hobson* Date: 9-22-17

Full Mailing Address: ~~1650 FILLMORE ST #1101, DENVER CO 80206~~ Phone#: ~~(303) 653-6331~~  
165 Lovell 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*

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*



RECEIVED  
DIVISION OF WATER RESOURCES  
SEP 27 2017  
GARDEN CITY FIELD OFFICE  
DIVISION OF WATER RESOURCES

RECEIVED

SEP 27 2017

Garden City Field Office  
Division of Water Resources

DIVISION OF WATER RESOURCES -- KANSAS DEPARTMENT OF AGRICULTURE  
**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

WATER RESOURCES  
RECEIVED

OCT 02 2017

RECEIVED

SEP 27 2017

KS DEPT OF AGRICULTURE

Garden City Field Office  
Division of Water Resources