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. 10,892 & 18,965

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.

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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.
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.

J TWO LLC, Owner(s)
Water Right No(s). 10892, 18965

Date: 10/23/2017

ALICE M. BOLEN TRUST Owner(s)
Water Right No(s). 10892, 18965

Date: __________________

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Garden 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
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Date: ____________________________

J TWO LLC, Owner(s)
Water Right No(s). 10892, 18965

ALICE M. BOLEN TRUST Owner(s)
Water Right No(s). 10892, 18965

Date: 12/8/2017
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 Dec 29, 2017
by Karen Hunt

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:

J Two LLC
Attn: Jan Shaw
P.O. Box 990
Ashland, KS 67831

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

Kansas Department of Agriculture
Staff Person

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Division of Water Resources
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: YES

WR#(s): 10892, 18965  Use Made of Water (Circle): Irrigation

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

Authorized Point of Diversion Water Right # 10892:
One well located in Lot 4 of the Northwest Quarter of the Northwest Quarter (NW¼) of Section 4, Township 16 South, Range 38 West, Wichita County, Kansas.

Authorized Point of Diversion Water Right # 18965:
One well located in the Central West Quarter of the Southwest Quarter (CW¼ SW¼) of Section 4, Township 16 South, Range 38 West, Wichita County, Kansas.

Authorized Place of Use:

<table>
<thead>
<tr>
<th>S</th>
<th>T</th>
<th>R</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></td>
<td></td>
<td></td>
<td>NE NW SW SE</td>
<td>NE NW SW SE</td>
<td>NE NW SW SE</td>
<td>NE NW SW SE</td>
<td></td>
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<tr>
<td>4</td>
<td>16S</td>
<td>38W</td>
<td></td>
<td>51.2 51.4 3 40 40</td>
<td>40 40 40 40</td>
<td></td>
<td>342.66</td>
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WCWCA 2009-2015 Water Use History

<table>
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<tr>
<th>WR#</th>
<th>ID#</th>
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<tbody>
<tr>
<td>18965</td>
<td>5</td>
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<tr>
<td>Base WR Allocation</td>
<td>342 AF</td>
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</table>

<table>
<thead>
<tr>
<th>Year</th>
<th>AF Used</th>
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</thead>
<tbody>
<tr>
<td>2009</td>
<td>148.40</td>
</tr>
<tr>
<td>2010</td>
<td>124.20</td>
</tr>
<tr>
<td>2011</td>
<td>151.90</td>
</tr>
<tr>
<td>2012</td>
<td>157.20</td>
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<td>2013</td>
<td>141.40</td>
</tr>
<tr>
<td>2014</td>
<td>167.60</td>
</tr>
<tr>
<td>2015</td>
<td>123.10</td>
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Total Use 1013.800 AF
Ave Use 144.829 AF

<table>
<thead>
<tr>
<th>WR#</th>
<th>ID#</th>
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<tr>
<td>10892</td>
<td>3</td>
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<tr>
<td>Base WR Allocation</td>
<td>342 AF</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Year</th>
<th>AF Used</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009</td>
<td>159.80</td>
</tr>
<tr>
<td>2010</td>
<td>157.18</td>
</tr>
<tr>
<td>2011</td>
<td>176.84</td>
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<tr>
<td>2012</td>
<td>161.88</td>
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<td>2013</td>
<td>174.10</td>
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<tr>
<td>2014</td>
<td>187.90</td>
</tr>
<tr>
<td>2015</td>
<td>165.80</td>
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</table>

Total Use 1183.500 AF
Ave Use 169.071 AF

*Notes:

2009-2015 Total Water Use
2197.800 AF
Average Water Use of all listed WR's:
313.900 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>
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<tbody>
<tr>
<td>2017</td>
<td>29%</td>
<td>7</td>
<td>0.71</td>
<td>445.738</td>
</tr>
<tr>
<td>2018</td>
<td>29%</td>
<td>6</td>
<td>0.71</td>
<td>222.869</td>
</tr>
<tr>
<td>2019</td>
<td>29%</td>
<td>5</td>
<td>0.71</td>
<td>222.869</td>
</tr>
<tr>
<td>2020</td>
<td>29%</td>
<td>4</td>
<td>0.71</td>
<td>222.869</td>
</tr>
<tr>
<td>2021</td>
<td>29%</td>
<td>3</td>
<td>0.71</td>
<td>222.869</td>
</tr>
<tr>
<td>2022</td>
<td>29%</td>
<td>2</td>
<td>0.71</td>
<td>222.869</td>
</tr>
<tr>
<td>2023</td>
<td>29%</td>
<td>1</td>
<td>0.71</td>
<td>0.000</td>
</tr>
</tbody>
</table>

Total 7-Year Permissible Groundwater Withdrawal [AF] = 1560.083

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Division of Water Resources

Page 3 of 5
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: J TWO LLC        Signature: [Signature] Date: 12/19/2017

Full Mailing Address: ATTN: JAN SHAW P.O. BOX 990 ASHLAND, KS 67831  Phone#: (530)  

Name: ALICE M. BOLEN TRUST Signature: _______________________ Date: ________.

Full Mailing Address: 4215 Glencoe Ave. Unit 421 Marina Del Rey, CA 90292  Phone#: (530) -

ACKNOWLEDGMENT OF ADDENDUM

State of Kansas
County of Clark

This instrument was acknowledged before me on 12/19/2017.

By ____________________________

CATHY SMITH
Notary Public - State of Kansas

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.
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Name: J TWO LLC Signature: ___________________ Date: ____________

Full Mailing Address: ATTN: JAN SHAW P.O. BOX 990 ASHLAND, KS 67831 Phone#: ( )

Name: ALICE M. BOLEN TRUST Signature: ___________________ Date: 12/13/2017

Full Mailing Address: 4215 Glencoe Ave. Unit 421 Marina Del Rey, CA 90292 Phone#: (310) 722-4476

ACKNOWLEDGMENT OF ADDENDUM

State of California
County of Los Angeles

This instrument was acknowledged before me on December 12, 2017.

By __________________________ Notary Public

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.

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Garden City Field Office
Division of Water Resources
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 Pottawatomie

This instrument was acknowledged before me on Dec 29, 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:

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Attn: Jan Shaw
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Copies furnished electronically to:

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