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.
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.

TRIPLE C FARMS, Owner (Signature)
Water Right No(s). 13,048

CRAIG L MILLER, BOX 661 SCOTT CITY, KS 67871
Full Mailing Address

Email Address

Phone Number

ACKNOWLEDGMENT OF NOTARY

State of Kansas

County of Finney

Acknowledged before me on 27 April 2018

by CRAIG L MILLER

Signature: ____________________________
Notary Public

My commission expires
(Notary Seal)

KEVIN L. SALTER
My Appointment Expires
November 2, 2021

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APR 27 2018
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 NOTARY

State of Kansas )
) SS
County of Riley )
Acknowledged before me on 5/2/2019
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:

Triple C Farms
Craig L Miller
Box 661
Scott City, KS 67871

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#(s): 13,048

Use Made of Water (Circle): Irrigation

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

**Authorized Point of Diversion Water Right # 13,048**
One well located in the _S2_ Quarter of the _S2_ Quarter of the _NW_ Quarter (S2¼S2¼NW¼) of Section 30, Township 16 South, Range 35 West, Wichita County, Kansas. The second well located in Section 30, Township 16 South, Range 35 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>30</td>
<td>16</td>
<td>35</td>
<td>40</td>
<td>40</td>
<td>40</td>
<td>40</td>
<td>320</td>
</tr>
</tbody>
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Division of Water Resources

Page 1 of 6
### WCWCA 2009-2015 Water Use History

<table>
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<tr>
<th>WR#</th>
<th>ID#</th>
<th>Base WR Allocation</th>
<th>AF</th>
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<tbody>
<tr>
<td>13048</td>
<td>4</td>
<td>320</td>
<td>AF</td>
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<table>
<thead>
<tr>
<th>Year</th>
<th>AF Used</th>
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<tbody>
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<td>171.75</td>
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<tr>
<td>2010</td>
<td>202.19</td>
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<tr>
<td>2011</td>
<td>191.96</td>
</tr>
<tr>
<td>2012</td>
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<td>2013</td>
<td>130.56</td>
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<tr>
<td>2014</td>
<td>143.40</td>
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<tr>
<td>2015</td>
<td>122.22</td>
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Total Use 1248.080 AF
Ave Use 178.297 AF

<table>
<thead>
<tr>
<th>WR#</th>
<th>ID#</th>
<th>Base WR Allocation</th>
<th>AF</th>
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<tbody>
<tr>
<td>13048</td>
<td>3</td>
<td>320</td>
<td>AF</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Year</th>
<th>AF Used</th>
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<tbody>
<tr>
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<td>2011</td>
<td>194.70</td>
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<td>2013</td>
<td>170.73</td>
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<tr>
<td>2014</td>
<td>80.59</td>
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<tr>
<td>2015</td>
<td>165.09</td>
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</table>

Total Use 1247.752 AF
Ave Use 178.250 AF

*Notes:

#### 2009-2015 Total Water Use
2495.832 AF

#### Average Water Use of all listed WR's:
356.547 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>29%</td>
<td>7</td>
<td>0.71</td>
<td>506.297</td>
</tr>
<tr>
<td>2018</td>
<td>29%</td>
<td>6</td>
<td>0.71</td>
<td>253.149</td>
</tr>
<tr>
<td>2019</td>
<td>29%</td>
<td>5</td>
<td>0.71</td>
<td>253.149</td>
</tr>
<tr>
<td>2020</td>
<td>29%</td>
<td>4</td>
<td>0.71</td>
<td>253.149</td>
</tr>
<tr>
<td>2021</td>
<td>29%</td>
<td>3</td>
<td>0.71</td>
<td>253.149</td>
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<tr>
<td>2022</td>
<td>29%</td>
<td>2</td>
<td>0.71</td>
<td>253.149</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) = 1772.041

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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.

Craig L Miller  Owner (Signature)
Water Right No(s). 13,048

Craig L Miller, Box 661 Scott City, KS 67871
Full Mailing Address

Email Address  Phone Number

ACKNOWLEDGMENT OF NOTARY

State of Kansas  )
County of  ) SS
Acknowledged before me on 27 April 2018
by Craig L. Miller.
Signature: Notary Public

My commission expires  November 2, 2021
(Notary Seal)

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Garden City Field Office
Division of Water Resources

Page 5 of 6
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  )
    ) SS
County of华人 )
Acknowledged before me on 5/2/2012
by David W. Barfield.

Signature: Karen
Notary Public

My commission expires: (Notary Public)

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:

Triple C Farms
Craig L Miller
Box 661
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Groundwater Management District No. 1

Water Commissioner, Garden City Field Office

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Garden City Field Office
Division of Water Resources

Kansas Department of Agriculture
Staff Person
WAIVER REQUEST TO EXTEND THE WICHITA COUNTY WATER CONSERVATION
AREA 2017 SIGNUP DEADLINE
Water Right, File Nos. /3048

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)

Owner Name, Owner (Signature)

Full Mailing Address

Email Address

Phone Number

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APR 23 2018

Division of Water Resources
WICHITA COUNTY WATER CONSERVATION AREA INTERIM BOARD WAIVER REQUEST REVIEW

☑ 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:

"Demonstrated water conservation in 2017 and request to enroll."

☐ 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]

Secretary

Date: 4/20/2018

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

Email Address

Phone Number

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Garden City Field Office
Division of Water Resources