

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. 13,105

**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.

RECEIVED
JAN 03 2018
Division of Water Resources
Garden City Field Office

RECEIVED
JAN 25 2018
Division of Water Resources
Garden City Field Office

RECEIVED

RECEIVED
JAN 03 2018
Garden City Field Office
Division of Water Resources
SCANNED

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.
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, 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.

RECEIVED

JAN 25 2018

Garden City Field Office
Division of Water Resources

RECEIVED

JAN 03 2018

Garden City Field Office
Division of Water Resources

RECEIVED

RECEIVED

JAN 03 2018

Garden City Field Office
Division of Water Resources

SCANNED

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.

Jean Wells

Date: 1-3-18

Jean Wells, Owner (Signature)

Water Right No(s). 13,105

112 W Grand Ave Maricopa, KS 67563

Full Mailing Address

jean.wells@cfsagu.ca

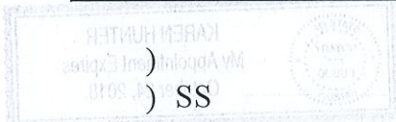
Email Address

620-874-5448

Phone Number

ACKNOWLEDGMENT OF NOTARY

State of Kansas)



County of Linney)

Acknowledged before me on 1-3-18

by Jean Wells

Signature: Julie Jones
Notary Public



My commission expires: _____
(Notary Seal)

RECEIVED

JAN 25 2018

Garden City Field Office
Division of Water Resources

RECEIVED

JAN 03 2018

Garden City Field Office
Division of Water Resources

SCANNED

ADDENDUM TO THE WICHITA COUNTY WATER CONSERVATION AREA CONSENT AGREEMENT AND ORDER

WCA Beginning Year: 2018 WCA Ending Year: 2024 WCA Total Years: 7

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

WR#(s): 13,105

Use Made of Water (Circle): Irrigation

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

Authorized Point of Diversion Water Right #13,105:

One well located in the CW Quarter of the SW Quarter of the NE Quarter (CW¼SW¼NE¼) of Section 29, Township 16 South, Range 36 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	16	36	40	40	40	40													320

RECEIVED

JAN 25 2018

Garden City Field Office
Division of Water Resources

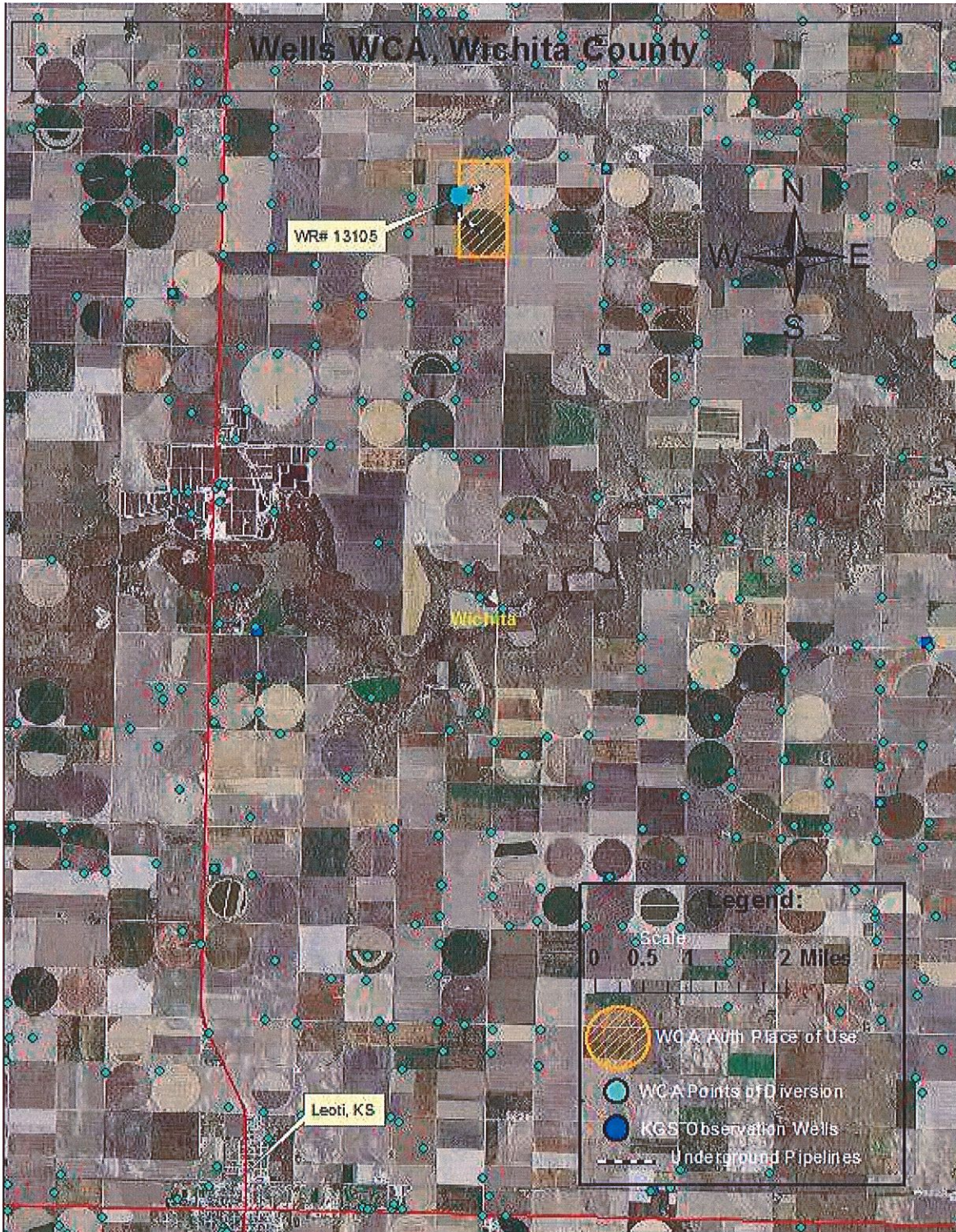
RECEIVED

JAN 03 2018

Garden City Field Office
Division of Water Resources

SCANNED

KDA-DWR Map indicating WCA/Management Area Boundary, Point(s) of Diversion, Place(s) of Use, and Existing Pipelines as of (12/29/17)



RECEIVED

JAN 25 2018

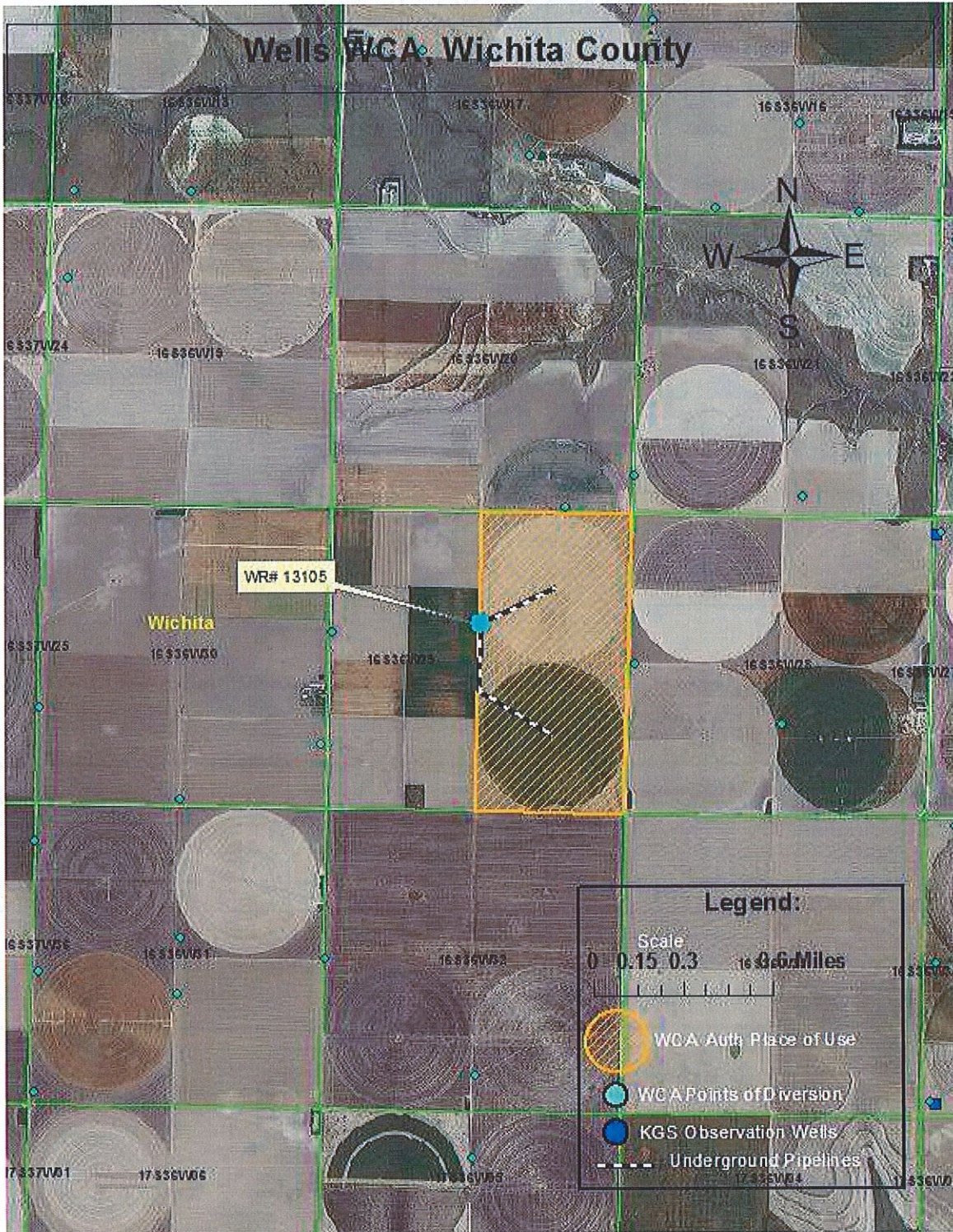
Garden City Field Office
Division of Water Resources

RECEIVED

JAN 03 2018

Garden City Field Office
Division of Water Resources

SCANNED



RECEIVED

JAN 25 2018

Garden City Field Office
Division of Water Resources

RECEIVED
JAN 25 2018
Garden City Field Office
Division of Water Resources

RECEIVED
JAN 03 2018

Garden City Field Office
Division of Water Resources

SCANNED

WCWCA 2009-2015 Water Use History

WR#	13105
PDIV#	29834
Legal	29-16S-36W
Auth. Qty.	537 AF
Year	Use
2009	31.16
2010	94.16
2011	134.82
2012	150.57
2013	118.55
2014	95.52
2015	50.16

Total Use 674.95 AF

Ave Use 96.42 AF

Limitations: None

Notes: None

2009-2015 Total Water Use

674.948 AF

Average Water Use of all listed WR's:

96.421 AF

**WCWCA Annual Quantity of Permissible Groundwater Withdrawal:
For Enrollment in 2018**

<u>Participation Year</u>	<u>Reduction %</u>	<u>Deposit Schedule Factor</u>	<u>Factor</u>	<u>Annual Qty (AF)</u>
2018	30%	2	0.70	134.990
2019	30%	1	0.70	67.495
2020	30%	1	0.70	67.495
2021	30%	1	0.70	67.495
2022	30%	1	0.70	67.495
2023	30%	1	0.70	67.495
2024	36%	1	0.64	0.000

Total 7-Year Permissible Groundwater Withdrawal (AF) = 472.464

RECEIVED

JAN 25 2018

Garden City Field Office
Division of Water Resources

RECEIVED

JAN 28 2018

Garden City Field Office
Division of Water Resources

RECEIVED

JAN 03 2018

Garden City Field Office
Division of Water Resources

SCANNED

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.

Jean Wells

Date: 1-3-18

Jean Wells, Owner (Signature)

Water Right No(s). 13,105

112 West Grand Ave Marietta, KS 67863
Full Mailing Address

jean.wells@cpsagu.ca ⁶²⁰ 874-5468
Email Address Phone Number

RECEIVED

JAN 2 8 2018

Garden City Field Office
Division of Water Resources



ACKNOWLEDGMENT OF NOTARY

State of Kansas)
) SS
County of Finney)
Acknowledged before me on 1-3-18
by Jean Wells
Signature: Julie Jones
Notary Public

My commission expires: _____
(Notary Seal)

RECEIVED

JAN 25 2018

Garden City Field Office
Water Resources

RECEIVED

JAN 03 2018

Garden City Field Office
Division of Water Resources

FOR THE KANSAS DEPARTMENT OF AGRICULTURE:

David W Barfield
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 1/22/18
by David Barfield
Signature: [Signature]
Notary Public

My commission expires: _____
(Notary Seal)



RECEIVED

JAN 25 2018

**Garden City Field Office
Division of Water Resources**

CERTIFICATE OF SERVICE

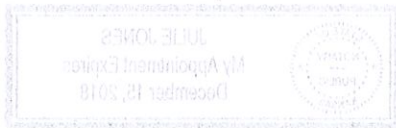
I hereby certify that on this 26th day of January, 2018, copies of the foregoing were sent via first class, U.S. mail, to the following:

Jean Wells
112 W Grand Ave
Marienthal, KS 67863-5052

Copies furnished electronically to:

Groundwater Management District No. 1

Water Commissioner, Garden City Field Office



Julie Jones
Kansas Department of Agriculture
Staff Person

RECEIVED
JAN 03 2018
**Garden City Field Office
Division of Water Resources**