

STATE OF KANSAS  
BEFORE THE DIVISION OF WATER RESOURCES  
KANSAS DEPARTMENT OF AGRICULTURE

IN THE MATTER OF:

LEAD Water Conservation Area  
Wichita and Scott Counties, Kansas

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)  
) Water Right, File No(s).  
) 1339, 1870, 3120, 3993, 4391, 8352,  
) 9446, 9558, 11000, 11609, 12005,  
) 12174, 12209, 12227, 13140,  
) 13787, 14515, 16556, 17550, 17572,  
) 17846, 18417, 20642, 22677, 22678,  
) 24785-D3, 24787, 24805 & 25304

AGREED ORDER TERMINATING A WATER CONSERVATION AREA

COMES NOW, the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, pursuant to K.S.A. 82a-745 and having been advised of the circumstances pertinent to this action and being otherwise fully and duly advised in the premises, and finds and orders as follows:

1. On or about September 9, 2019, Donald Smith on behalf of himself, Earl Smith, North Six Trust, Curtis Scheffe, Ernest Smith, Luke Smith, Joann Riemann Trust 1, Ruth Hovey and Kathryn Owings ("Participants") submitted to the Chief Engineer a proposed management plan to establish a water conservation area, pursuant to K.S.A. 82a-745. The proposed plan concerned Water Right, File Nos. 1,339, 1,870, 3,120, 3,993, 4,391, 8,352, 9,446, 9,558, 11,000, 11,609, 12,005, 12,174, 12,209, 12,227, 13,140, 13,787, 14,515, 16,556, 17,550, 17,572, 17,846, 18,417, 20,642, 22,677, 22,678, 24,785-D3, 24,787, 24,805 & 25,304 owned by Participants.

2. On or about October 4, 2019, and pursuant to K.S.A. 82a-745, the Chief Engineer duly issued the Consent Agreement and Order Designating a Water Conservation Area (the "WCA Order"), which incorporated the management plan and formally designated the LEAD Water Conservation Area (the "Subject WCA").

3. Pursuant to the management plan and K.S.A. 82a-745(k), the Chief Engineer may terminate a water conservation area upon the request and consent of all of water right owners within a water conservation area.

4. By Participant's signatures hereto, which constitutes the signature of all of the water right owners in the Subject WCA, Participants indicates their request and consent that the WCA Order and its established Subject WCA be terminated pursuant to the terms herein.

5. 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 waives all rights to a hearing on or appeal of this Agreed Order Terminating a Water Conservation Area.

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Garden City Field Office  
Division of Water Resources

6. Accordingly, the Chief Engineer finds that all the requirements for terminating a water conservation area have been met and that the WCA Order and its established Subject WCA should be terminated.

7. A copy of this Agreed Order Terminating a Water Conservation Area shall be filed with the register of deeds in Wichita and Scott Counties, Kansas.

**THEREFORE**, the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, hereby orders that the WCA Order and its established LEAD Water Conservation Area are terminated and of no force or effect.

IT IS SO ORDERED, THIS 28<sup>th</sup> DAY OF February, 2020, IN MANHATTAN, RILEY COUNTY, KANSAS.

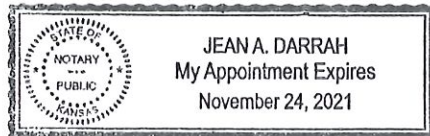
David W. Barfield  
David W. Barfield, P.E.  
Chief Engineer, Division of Water Resources  
Kansas Department of Agriculture

STATE OF KANSAS )  
 ) SS.  
COUNTY OF RILEY )

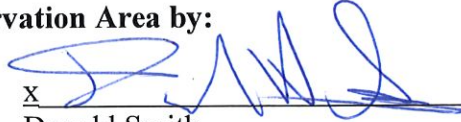
This Agreed Order was acknowledged before me on February 28, 2020, by David W. Barfield.

Jean A. Darrah  
Notary Public

My commission expires: 11-24-2021  
(Notary Seal)



Agreed to on behalf of the LEAD Water Conservation Area by:

  
X  
Donald Smith

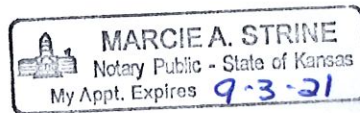
“Participant”

STATE OF KANSAS )  
 ) SS.  
COUNTY OF Scott )

This Agreed Order was acknowledged before me on 2/27, 2020, by  
Donald Smith.

Marcie A. Strine  
Notary Public

My commission expires: 9-3-21  
(Notary Seal)



Agreed to on behalf of the LEAD Water Conservation Area by:

X Earl Smith  
Earl Smith

“Participant”

STATE OF KANSAS )  
 ) SS.  
COUNTY OF Wichita )

This Agreed Order was acknowledged before me on 2-11, 2020, by

Joni M. Stegman  
Notary Public

My commission expires: 12-5-2020  
(Notary Seal)



Agreed to on behalf of the LEAD Water Conservation Area by:

X *Luke Smith*  
Luke Smith

“Participant”

STATE OF KANSAS )  
 ) SS.  
COUNTY OF Wichita )

This Agreed Order was acknowledged before me on 2-11, 2020, by

*Joni M. Stegman*  
Notary Public

My commission expires: 12-5-2020  
(Notary Seal)





Agreed to on behalf of the LEAD Water Conservation Area by:

X Ernest Smith  
Ernest Smith

“Participant”

STATE OF KANSAS )  
 ) SS.  
COUNTY OF Scott )



This Agreed Order was acknowledged before me on 2/5, 2020, by  
Ernest Smith.

Marcie A. Strine  
Notary Public

My commission expires: 9-3-21  
(Notary Seal)

Agreed to on behalf of the LEAD Water Conservation Area by:

x North Six Trust by Earl Smil Trustee  
North Six Trust

“Participant”

STATE OF KANSAS )  
 ) SS.  
COUNTY OF Wichita )

This Agreed Order was acknowledged before me on 2-11, 2020, by

Joni M. Stegman  
Notary Public

My commission expires: 12-5-2020  
(Notary Seal)



Agreed to on behalf of the LEAD Water Conservation Area by:

x Curtis Scheffe  
Curtis Scheffe

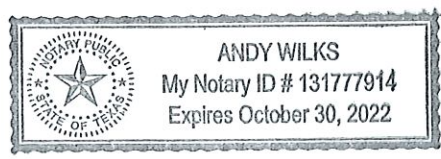
“Participant”

STATE OF <sup>Texas - AW</sup> ~~KANSAS~~ )  
COUNTY OF Parker ) SS.  
 )

This Agreed Order was acknowledged before me on February 17, 2020, by  
Curtis Scheffe.

Andy Wilks  
Notary Public

My commission expires: 10/30/2022  
(Notary Seal)





Agreed to on behalf of the LEAD Water Conservation Area by:

Joann R Riemann  
Joann R Riemann Trust 1

“Participant”

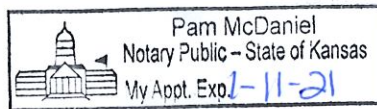
STATE OF KANSAS )  
 ) SS.  
COUNTY OF Scott )

This Agreed Order was acknowledged before me on 18<sup>th</sup> Feb, 2020, by

Joann R Riemann

Pam McDaniel  
Notary Public

My commission expires: 1-11-21  
(Notary Seal)



Agreed to on behalf of the LEAD Water Conservation Area by:

x Ruth Hovey  
Ruth Hovey

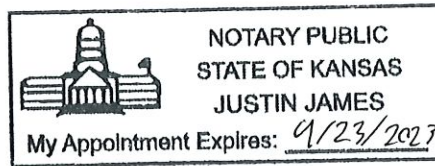
“Participant”

STATE OF KANSAS )  
 ) SS.  
COUNTY OF Johnson )

This Agreed Order was acknowledged before me on February 11<sup>th</sup>, 2020, by  
Ruth Hovey

Justin James  
Notary Public

My commission expires: 9/23/2023  
(Notary Seal)



Agreed to on behalf of the LEAD Water Conservation Area by:

x Kathryn Owings  
Kathryn Owings

“Participant”

STATE OF KANSAS )  
 ) SS.  
COUNTY OF Douglas )

This Agreed Order was acknowledged before me on February Tenth, 2020, by  
Kathryn Owings.

Phillip Clark  
Notary Public

My commission expires: 2-15-23  
(Notary Seal)



I hereby certify that on this 3<sup>rd</sup> day of March, 2020, copies of the Agreed Order Terminating a Water Conservation Area were sent via first class, U.S. mail, to the following:

DONALD A & ELIZABETH T SMITH  
1409 ELIZABETH STREET  
SCOTT CITY, KANSAS 67871-1940

EARL & DEBORAH SMITH  
1303 E COUNTRY ROAD M  
MARIENTHAL KS 67863

NORTH SIX TRUST  
1303 E COUNTY RD M  
MARIENTHAL, KANSAS 67863-6308

CURTIS & JACQUE SCHEFFE  
209 ACORN COURT  
ALEDO, TEXAS 76008

ERNEST SMITH  
1354 W CURTIS ST  
SCOTT CITY, KANSAS 67871-1442

LUKE A SMITH  
805 WEST N ST  
LEOTI, KS 67861

JOANN R RIEMANN TRUST 1  
PO BOX 666  
DIGHTON, KANSAS 67839-0666

RUTH HOVEY  
12444 S GALLERY ST  
OLATHE, KS 66062-6096

KATHRYN A OWINGS  
1115 E 1200 RD.  
LAWRENCE, KS 66047

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