

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

IN THE MATTER OF:)
)
Hatcher Land Co. LP Water Conservation Area) Water Right, File No(s).
Seward County, Kansas) 43,445
)
)

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 March 2, 2020, Nick Hatcher ("Participant") 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 No. 43,445 owned by Participant.

2. On or about May 7, 2020, and pursuant to K.S.A. 82a-745, the Acting 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 Hatcher Land Co. LP Water Conservation Area (the "Subject WCA").

3. Pursuant to the management plan and K.S.A. 82a-745(k), the 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.

4. That on March 17, 2021, Charles and Carolyn Withers ("Participant") purchased Water Right, File No. 43,445.

5. 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. Participant is the sole participant in the Subject WCA.

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

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

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8. 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.

9. A copy of this Agreed Order Terminating a Water Conservation Area shall be filed with the register of deeds in Seward County, Kansas.

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

IT IS SO ORDERED, THIS 6th DAY OF May, 2021, IN MANHATTAN, RILEY COUNTY, KANSAS.



Earl D. Lewis Jr.
Earl D. Lewis Jr., 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 this 6th day of May, 2021, by Earl D. Lewis Jr., P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

[Signature]

Notary Public

My commission expires: March 26, 2024
(Notary Seal)



Agreed to on behalf of the Hatcher Land Co. LP Water Conservation Area by:

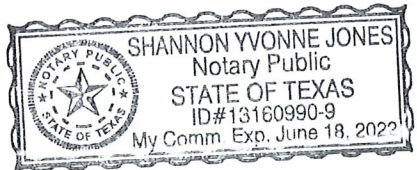
Carolyn Staked
Charles R Withers
CHARLES L & CAROLYN J WITHERS
"Participant"

STATE OF ~~KANSAS~~ Texas)
) SS.
COUNTY OF Lamar)

This Agreed Order was acknowledged before me on this 27th day of April, 2021, by

Carolyn L & Carolyn J. Withers

Shannon Yvonne Jones My commission expires: 6/18/2022
Notary Public (Notary Seal)



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CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of May, 2021, copies of the Agreed Order Terminating a Water Conservation Area were sent via first class, U.S. mail, to the following:

CHARLES L & CAROLYN J WITHERS
6655 LAMAR RD
RENO, TX 75462-7110



Kansas Department of Agriculture
Staff Person

[Faint handwritten notes and stamps, including "RECEIVED" and "MAY 11 2021"]

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