

**ADDENDUM TO THE
CONSENT AGREEMENT AND ORDER DESIGNATING A WATER CONSERVATION
AREA
KLEYSTEBER WATER CONSERVATION AREA (2018-2022)**

This addendum effectively removes Water Right File No. 18,144 and all attributes associated with this water right from the current Consent Agreement and Order Designating a Water Conservation Area. With this addendum it amends the Kleysteuber WCA Water Management Plan.

Water Right removed: WR#(s): 18144

Use Made of Water: Irrigation

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

Overlapping water right(s) on the place of use (land): NONE

Authorized Point of Diversion: one well located near the center of the Northwest Quarter (NW¼) of Section 21, Township 26 South, Range 31 West, Finney County, Kansas.

Authorized Quantity and Rate: 306 acre-feet and 735 gallons per minute.

Amendments to the existing Corrective controls:

- Goal Expression: not to exceed 2,250.411 Acre-Feet (AF) of the total irrigation allocation in any calendar year from 22 irrigation wells. Original annual allocation was 2,473.006 Acre-Feet (AF)
- (the reduction of 222.595 acre-feet was subtracted off the annual allocation due to the removal of WR# 18144)
- All Irrigation water rights cannot exceed a total combined quantity of 11,252.055 AF over the 5year period.
- Up to the annual allocation of 2,250.411 AF may be carried over and added to a subsequent WCA period for irrigation purposes after 2022; if unused by the irrigation wells during the duration of this WCA period. In order for the carryover quantity to be included, all owners must enter into agreement to participate into a subsequent WCA by December 31st of the last year of this WCA period (original allocation carry over was 2,473.006 acre-feet with WR# 18144)

Amended Authorized Place of Use:

(Section 21 was removed from the authorized place of use with the removal of WR# 18144.)

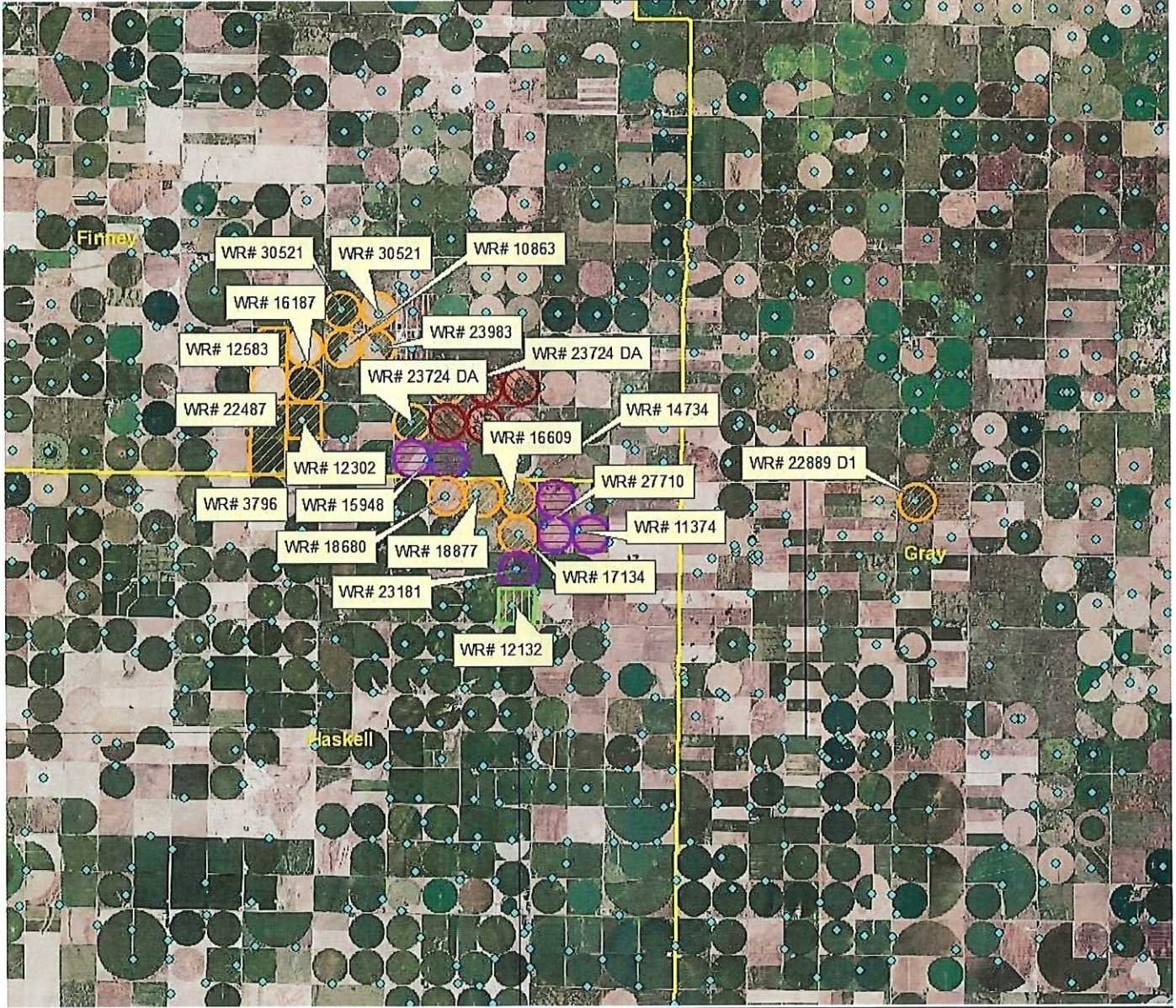
WCA Boundary																			Total Acres
Sec	T (S)	R (W)	NE (1/4)				NW (1/4)				SW (1/4)				SE (1/4)				
			NE (1/4)	NW (1/4)	SW (1/4)	SE (1/4)	NE (1/4)	NW (1/4)	SW (1/4)	SE (1/4)	NE (1/4)	NW (1/4)	SW (1/4)	SE (1/4)	NE (1/4)	NW (1/4)	SW (1/4)	SE (1/4)	
31	26	31	40	40	40	40	40	38.04	37.91	40	40	37.79	37.66	40					471.4
29	26	31	32.5	34	34	32.5	33	31.5	31.5	37									266
2	27	31					30.83	30.83	30.83	30.83	30.83	30.83	30.83	30.83	30.83	30.83	30.83	30.83	369.96
10	27	31	34	34	34	34								40	40	40	40		296
30	26	31	32.5	32.5	32.5	32.5	40	39.96	38	40	40	38.04	38.08	40	32.5	32.5	32.5	32.5	574.08
33	26	31					34	34	34	34	31.5	31.5	31.5	31.5	31.5	31.5	31.5	31.5	388
3	27	31	34	34	34	34	34	34	34	34				34	34	34	34		408
4	27	31	34	34	34	34													136
28	26	31												34	34	34	34		136
20	26	31									33	33	33	33	32.5	32.5	32.5	32.5	262
3	27	30					34	34	34	34									136
Grand Total Acres																		3443.44	

Additional Boundary Notes:

WR#	Legal	Note
3796	31-26S-31W	L-1 (NW NW), L-2 (SW NW), L-3 (NW SW), L-4 (SW SW)
12302	31-s6S-31W	L-1 (NW NW), L-2 (SW NW), L-3 (NW SW), L-4 (SW SW)
12583	30-26S-31W	L-1(NWNW), L-2 (SWNW), L-3 (NWSW), L-4 (SWSW)
16609	3-27S-31W	L- 1 (NE NE) L- 2 (NW NE)
22487	31-26S-31W	L-1 (NW NW), L-2 (SW NW), L-3 (NW SW), L-4 (SW SW)

Amended map of Authorized Place of Use within the WCA
(with the removal of WR# 18144 in section 21.)

Klevsteuber WCA Map



Amended Kleysteuber Farms WCA Historic Use.

(WR# 18144 was removed and below shows the new legal average use and annual authorized quantity.)

Kleysteuber Farms WCA Pumping Wells Summary

"Legal Ave Water Use"- A historical average calculated only using water use reports of equal or less than the annual authorized quantity.

WR #	ID#	PDIV#	Location (Sect, Twn, Range)	Historical Period (20XX- 20XX)
3796	5	15752	31-26s-31w	03-12
10863	4	75319	29-26s-31w	03-12
23983	3	18439	29-26s-31w	03-12
12302	2	15987	31-26S-31W	03-12
12583	1	31911	30-26s-31w	03-12
16187	3	64385	30-26s-31w	03-12
16609	5	67181	3-27s-31w	03-12
18877	6	70619	3-27s-31w	03-12
22487	4	5599	31-26s-31w	03-12
23724-DA	2	9668	28-26s-31w	03-12
23724-DA	3	11442	33-26s-31w	03-12
30521	2	25627	20-26s-31w	03-12
30521	3	36497	20-26s-31w	03-12

Historical Use Summary				
2018 Annual Auth Qty (AF)	Legal Ave WU (AF)	Ave Irr Acres	Actual AI/Acre	% Use of Authorized
3,544	2,500.456	1,950.30	15.44	71%

Recent Water Use Reports				
2015 Use	2016 Use	2017 Use	2017 Acres	
2,306.591	1,713.845	1,717.00	1,950.00	AF
65%	48%	48%	NA	% of Auth
Annual WCA Allocation (10% Conservation)				
	Annual WCA Allocation	Reduction from Ave Use	% of Authorized	Est. Acre- Inch (2017 Acres)
Totals	2,250.411	250	63%	13.85

FOR THE PARTICIPANTS: By signing this addendum, we the undersigned, hereby agree to the amendments made to the Kleysteuber Farms Water Conservation Area. All other terms and conditions of the Kleysteuber Farms WCA management Plan are still in effect and agreed to. We also agree, as owners, that water rights remaining may be removed by written request to the Chief Engineer designating the water right(s) to be removed, lands to be removed, and needed adjustments to overall allocations and flexibilities provided to such water rights. Such adjustment shall be proportional to the water right(s) removed and total authorization by the WCA, if applicable.

Dennis Kleysteuber Date: 4-1-19

KLEYTEUBER & GILLEN INC, Owner (Signature)
Water Right No(s). 3796, 10863, 15948, 23983, 12132, 12302, 17134, 18144, 22487, 22889-D1, 23181, 23724-DA, 30521

13060 S County Road 20, Garden City KS, 67846-9711
Full Mailing Address

Email Address Phone Number

ACKNOWLEDGMENT OF NOTARY

State of Kansas)
) SS
County of FRANKLIN)
Acknowledged before me on 1 April 2019
by DENNIS KLEYTEUBER
Signature: *Dennis Kleysteuber*
Notary Public

My commission expires: 2 Nov 2019
(Notary Seal)



FOR THE PARTICIPANTS: By signing this addendum, we the undersigned, hereby agree to the amendments made to the Kleysteuber Farms Water Conservation Area. All other terms and conditions of the Kleysteuber Farms WCA management Plan are still in effect and agreed to. We also agree, as owners, that water rights remaining may be removed by written request to the Chief Engineer designating the water right(s) to be removed, lands to be removed, and needed adjustments to overall allocations and flexibilities provided to such water rights. Such adjustment shall be proportional to the water right(s) removed and total authorization by the WCA, if applicable.

[Handwritten Signature]

Date: 4/1/19

K2 INVESTMENTS LLC, Owner (Signature)

Water Right No(s). 16,187; 12,583

6310 OLD POST ROAD, GARDEN CITY KS, 67846

Full Mailing Address

Email Address

Phone Number

ACKNOWLEDGMENT OF NOTARY

State of Kansas)

) SS

County of FINNEY)

Acknowledged before me on 1 April 2019

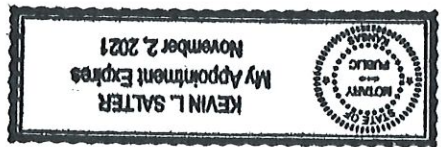
by John KLEYSTEBER

Signature: *[Signature]*

Notary Public

My commission expires: 2 Nov 2021

(Notary Seal)



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Date: 4-1-19

DENNIS KLEYTEUBER, Owner (Signature)
Water Right No(s). 16609

2113 CENTER ST APT 1, GARDEN CITY, KS 67846-3559
Full Mailing Address

Email Address

Phone Number

ACKNOWLEDGMENT OF NOTARY

State of Kansas)

County of FANNING) SS

Acknowledged before me on 1 April 2019

by DENNIS KLEYTEUBER

Signature: [Signature]
Notary Public

My commission expires: 2 Nov 2019
(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:

KLEYSSTEUBER & GILLEN INC
13060 S COUNTY ROAD 20
GARDEN CITY KS, 67846-9711

DENNIS & JANICE KLEYSSTEUBER JOINT REV TRUSTS
2113 CENTER ST APT #1
GARDEN CITY, KS 67846

KS INVESTMENTS LLC
6310 OLD POST ROAD
GARDEN CITY, KS 67846

JOHN KLEYSSTEUBER
13060 S COUNTY ROAD 20
GARDEN CITY, KS 67846

DENNIS KLEYSSTEUBER
2113 CENTER ST APT 1
GARDEN CITY, KS 67846-3559

KLEYSSTEUBER CATTLE CO INC
13060 S COUNTY ROAD 20
GARDEN CITY, KS 67846

Copies furnished electronically to:

Groundwater Management District No. 3
Water Commissioner, Garden City Field Office

Kansas Department of Agriculture
Staff Person