

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

IN THE MATTER OF:) Water Right, File No(s).
) 4887, 10639, 10999, 22121, 22122,
Midwest Feeders, Inc. Water Conservation Area) 29614, 32786, & 32787
Gray County, Kansas)
_____)

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 December 3, 2020, Midwest Feeders, Inc. & Jeffrey H. Sternberger (“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(s), File No(s). 4887, 10639, 10999, 22121, 22122, 29614, 32786, 32787 owned by Participant.
2. On or about March 25, 2021, 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 Midwest Feeders, Inc. 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. On or about August 25, 2021, Midwest Feeders, Inc filed a series of applications for approval to change the place of use and use made of water under an existing water right, applications for permit to appropriate water for beneficial use, and an application for term permit all to achieve flexibility options similar the corrective controls under the existing Water Conservation Area. With these requests and due to expansion of the feed yard, Midwest Feeders, Inc. elected to request dismissal of the Water Conservation Area contingent upon the approval of these applications.
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.

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Division of Water Resources

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.

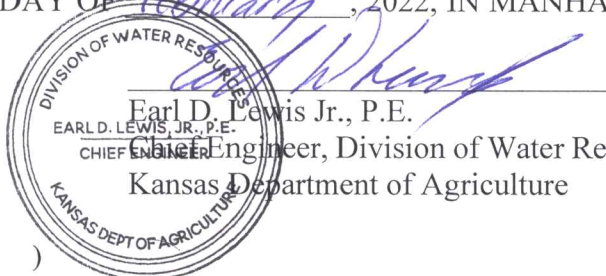
7. Pursuant to the Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*, the Kansas Judicial Review Act, K.S.A. 77-601, *et seq.*, or by any other applicable Kansas law, Participant waives all rights to a hearing on or appeal of this Agreed Order Terminating a Water Conservation Area.

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.

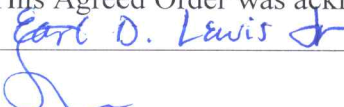
9. A copy of this Agreed Order Terminating a Water Conservation Area shall be filed with the register of deeds in Gray County, Kansas.

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

IT IS SO ORDERED, THIS 11th DAY OF February, 2022, IN MANHATTAN, RILEY COUNTY, KANSAS.



STATE OF KANSAS)
) SS.
COUNTY OF RILEY)

This Agreed Order was acknowledged before me on February 11, 2022, by
Earl D. Lewis Jr


Notary Public

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



Agreed to on behalf of the Midwest Feeders, Inc. Water Conservation Area by:


Midwest Feeders, Inc. & Jeffrey H. Sternberger

“Participant”

STATE OF KANSAS)
) SS.
COUNTY OF Gray)

This Agreed Order was acknowledged before me on February 4, 2022, by
Jeff Sternberger.

Angela L. Crone
Notary Public

My commission expires: 02/25/2025
(Notary Seal)



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CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of March, 2022, copies of the Agreed Order Terminating a Water Conservation Area were sent via first class, U.S. mail, to the following:

MIDWEST FEEDERS INC
5013 13 RD
INGALLS, KS 67853 - 9023



Kansas Department of Agriculture
Staff Person