January 2023-December 2032

## Pletcher Farms

Water Conservation Area Management Plan



## Water Conservation Area (WCA) Executive Summary

Acres: 5,045.15

Number of irrigation (IRR) Water Rights: 23

Number of IRR Wells: 34

#### **WCA Allocation:**

• 13,750 acre-feet (AF) for period of WCA and address and he shill and process of all long and

- 10.74% reduction from the Four County Local Enhanced Management Area (LEMA) or (FCL).
- 23% reduction from combined annual average water use from 2008-2017.

#### **Corrective Controls:**

- All water rights are limited to their annual authorized quantity & maximum diversion rates.
- 12 water rights or 18 wells will cease diversion during the WCA.
- All remaining 16 wells will be limited below their FCL allocation during the WCA except for 5 wells:
  - o WR#s 11817, 19211, 26284 are limited to 6,950 AF during the WCA.
  - WR# 19212 is limited to 1,700 AF during the WCA
- Potential carry-over of 1-year's WCA allocation with a subsequent WCA.

Total water conserved over WCA period (based on historical use): 4,273.69 AF.

#### MANAGEMENT PLAN

# For the Designation of a Water Conservation Area (WCA) Pletcher Farms WCA; Morton County, Kansas January 2023 through December 2032

To conserve and extend the productive life of the aquifer in our region and increase the value and viability of our water rights and water resources for future generations we, the undersigned water right owners propose the following management plan, pursuant to K.S.A. 82a-745 (WCA Law), to form the basis of a Consent Agreement and Order Designating a Water Conservation Area (WCA).

#### **Expression of Conservation Goals**

The water right owner of the Pletcher Farms WCA desires to conserve and extend the productive life of the aquifer in this region. We have concluded that conserving Ogallala Aquifer water today will increase the value and viability of our water rights and water resources for future generations. Our goal is to extend the life of the aquifer in this immediate area for our future generations and to continue the economic benefit of using groundwater for irrigation use.

We, the water right owners are consenting to the term and conditions of this WCA and commit to holding our water use for ten (10) years, which will be less than the Four County Local Enhanced Management Area (FCL), through a 10.74% reduction from the FCL or a 23% reduction from the historic use of all water rights enrolled in this WCA.

## Water Rights Enrolled and Geographic Boundaries

This WCA shall include the water rights listed in the attached document. This list includes details of all points of diversion associated with those water rights; as well as legal descriptions of the locations of the points of diversion and/or identification numbers.

The current total appropriations authorized for all water rights for irrigation use included in this WCA are 9,665 acre-feet (AF) per calendar year. These water rights consist of 34 wells and a total of 5,045.15 acres authorized for irrigation. Average annual water use during the period of 2008-2017 was 1,802.370 AF, with the proposed reduction from historic annual average water use, the 10-year WCA allocation is 13,750 AF.

The geographic boundary for this WCA is shown on the attached map(s) and attached table defined by legal locations. This table includes total acres and legal definitions by section, township, and range of the WCA boundary.

## Findings Regarding Groundwater Conditions along their results are wolled betatements and

We understand that the WCA Law requires a finding that one of the following circumstances be present within the area geographic boundaries of this WCA; specified in K.S.A. 82a-1036 (a) through (d):

- a) Groundwater levels in the area in question are declining or have declined excessively.
  - b) The rate of withdrawal of groundwater in the area equals or exceeds the rate of recharge within such area.
- c) Preventable waste of water is occurring or may occur within the area in questions; or
- d) Unreasonable deterioration of the quality of water is occurring or may occur within the area in question.

and amendments thereto, exist, or include a finding or findings that the area within the geographic boundaries described in paragraph (1) has been closed to new appropriations by rule, regulation, or order of the Chief Engineer.

We have been informed that the following conditions exist:

- Groundwater levels in the area in question are declining or have declined excessively.
- The rate of withdrawal of groundwater in the area equals or exceeds the rate of recharge within such area.

These conditions suggest the advisability of implementing this WCA.

See the attached maps and figures supporting these findings and observations. Such attached documents may include:

- Maps with WCA geographic boundaries defined- Attachment (A)
- Map detailing Active & Non-Active wells with place of use Attachment (B) dignisulated
- Detailed table with description of WCA geographic boundaries- Attachment (C)
- Public Summary and Historical Use of water rights Attachment (D)
- Kansas Geological Survey (KGS) Observation well(s) data (if applicable) Attachment (E)

Per the Corrective Controls Provisions and Plan for Conservation Section under this WCA management plan it has been determined that the proposed provisions listed will not significantly affect nearby points of diversion.

## Due Consideration for Past Conservation

We acknowledge that as described in the law (K.S.A. 82a-744), a water conservation area (WCA) management plan for example, shall give due consideration to water users who have previously implemented reductions in water use resulting from voluntary conservation measures. We are committed to best water management practices with the aim of, the conservation of the Ogallala aquifer and to preserve the viability of irrigated agriculture with this WCA management plan.

As enumerated below we request that further conservation under this plan be considered in any future LEMA proposed for the area or in a subsequent WCA under the terms herein.

#### Corrective Control Provisions and Plan for Conservation

We acknowledge that the following corrective controls will be in effect within this WCA during the term of the WCA period listed:

- 1. Water rights, at the discretion of the owners, may be pumped as directed by the owner, provided that:
  - a) All points of diversion are limited to their annual authorized quantity and maximum authorized diversion rates.
- b) Water Right, File Nos. 4,841, 7,543, 8,141, 8,260, 9,063, 11,050, 11,692, 11,767, 12,582, 19,506, 22,114 and 25,374, will cease diversion during the WCA period. This equates to a total of 18 points of diversion or wells and historic use and or FCL allocation of 4,019 AF for the 10-year period.
  - c) Water Right, File No. 23,846 is limited to 1,700 AF during the 10-year period but limited to the 5-year FCL allocation thru 2027.
  - d) Water Right, File Nos. 9,595, 11,795 and 16,352 are limited to 1,700 AF during the 10-year period but limited to the 5-year FCL allocation thru 2027.
  - e) Water Right, File Nos. 11,817, 19,211 and 26,284 are limited to 6,950 AF during the 10-year period.
- f) Water Right, File Nos. 2,398, 3,249, 7,543, 8,260, 9,063, 12,493, 12,582 and 22,114 are limited to 1,700 AF during the 10-year period.
  - g) Water Right, File No. 19,212 is limited to 1,700 AF during the 10-year period. All water rights combined shall be limited to a 10-year allocation of no more than 13,750 AF during the WCA.
- 2. The corrective control provisions of this WCA cannot conflict with the rules and regulations of the local groundwater management district that result in greater overall conservation of water resources. If a Local Enhanced Management Area (LEMA) plan or an Intensive Groundwater Use Control Area (IGUCA) is formed after the initiation of this WCA, and the WCA is partially or wholly within the LEMA or IGUCA, the corrective control provisions that result in the greater overall conservation of water resources based on inches per acre and not based on percent reduction of average historical use shall prevail. However, any LEMA or IGUCA must give due consideration to the conservation achieved by WCA participants pursuant to 82a-745(a)(6). The Chief Engineer is authorized to amend the provision of the WCA to conform to any rules, regulations, or requirements that result in greater conservation of the water resource subject to the foregoing due consideration for past and current conservation.

We, the water right owners enrolling in this WCA understand we may gain the following additional incentive(s) in consideration for our WCA participation.

3. Up to the annual WCA allocation (1,375 AF) may be carried over and added to a subsequent WCA period after calendar year 2032 if unused during the duration of this WCA period. For the carryover quantity to be included, all owners must enter into agreement to participate in a subsequent WCA by December 31<sup>st</sup> of the last year of this WCA period. Upon review, should a subsequent WCA be entered, the potential carryover will not allow to exceed the total annual authorized quantity or the agreed upon corrective controls.

## Compliance Monitoring and Enforcement of The ADV and the along Soustantian Compliance Monitoring and Enforcement of The ADV and the along Soustantian Compliance Monitoring and Enforcement of The ADV and the ADV

We, the owners, understand that the following compliance monitoring and enforcement provisions are proposed. This section also includes any specific provisions regarding measuring or reporting water usage.

There are three recognized observation well(s) within one (1) mile of this WCA boundary that is currently being measured annually by the Kansas Geological Survey (KGS). See attached maps for location. The well(s) will continue to be measured annually and the data collected will help in evaluating the effectiveness of the WCA. An onsite observation well may be necessary to monitor the local water level more accurately.

We will submit an annual report no later than March 1st and maintain a spreadsheet detailing the following information for each well and all wells combined: beginning and ending meter readings, quantity of water diverted, acres irrigated, the inches per acre, and the quantity of water remaining for the WCA period listed. These records will be available to KDA-DWR upon request.

We will ensure backup measurements of water will be supported or an alternate measurement device will be available to be put into service in case the water flowmeter record for any given well is questionable or not reliable.

We acknowledge that water flowmeters within the WCA will be sealed to the measurement chamber by KDA-DWR during the duration of this management plan to ensure an accurate water use record.

We, water right owners within this WCA shall be responsible for ensuring the water flowmeters comply with state laws and regulations. Any water right owner or authorized designee who finds a water flowmeter that is inoperable or inaccurate shall within 48 hours contact the KDA-DWR concerning the matter. Whenever an inoperable or inaccurate water flowmeter is repaired or replaced, the owner or authorized designee shall notify the KDA-DWR within seven (7) days on

a form prescribed by the Chief Engineer of the water flowmeter installation and any water flowmeter repair or replacement event.

We acknowledge that failure to abide by the terms of this agreement may result in the termination of the WCA. Failure to abide by the terms, conditions, and limitations of the individual water rights will be subject to the civil penalties outlined in K.A.R. 5-14-10 and K.A.R. 5-14-12.

#### Review of Effectiveness II for III was voyage fathering of the control of ADW accupance a

We acknowledge that a review of this WCA shall be completed prior to November 1st of the final year of the WCA period listed to ensure the above terms remain appropriate and are achieving the stated goals of this WCA. Should the Chief Engineer find that the terms are no longer appropriate or that no progress has been made towards the stated goal, the Chief Engineer may refuse to renew a WCA and may suggest new terms and goals. We understand that upon review, and a finding by the Chief Engineer that the WCA has achieved or made progress towards its goals and that the same terms be included in a subsequent WCA for another designated period. The terms of the WCA may be continued if this WCA is in good standing with its most recent WCA period and upon formal approval by the Chief Engineer. The Chief Engineer shall issue findings addressing the terms and goals of the existing management plan prior to any renewal of a subsequent WCA.

We acknowledge that unless terminated under the provisions below (e.g., due to the development of a LEMA), the WCA will be in effect for the listed period with an evaluation at the end of every WCA period. We understand that KDA-DWR will conduct this evaluation to ensure compliance and conservation. The evaluation will determine total water use during the WCA period.

quantity of water diverted, acres irrigated, the inches per acre, and the quantity of water remaining

We acknowledge that should an order of designation for a LEMA be implemented prior to end of this WCA period, an evaluation of this WCA will be conducted the year prior to the start of a LEMA. This evaluation may be used to determine an additional allocation amount of water to be carried over into a LEMA; should this be the case.

#### Member addition, withdrawal, and removal

We acknowledge that the water right owners and their associated water right(s) and geographic boundaries may be added to the WCA upon written notification to the Chief Engineer by the owners of each enrolling water right with legal descriptions of the areas to be added. A member may withdraw from the WCA through written notification to the Chief Engineer signed by the owners of the participating water right or rights to be withdrawn from the WCA.

If the addition or withdrawal of water rights requires modification to the water allocation quantities, geographic boundaries, places of use, terms, or conditions of the original WCA, the management plan shall be revised to incorporate such changes and the associated consent

agreement shall be reaffirmed by all parties, after opportunity for comment on the proposed revisions by the applicable groundwater management district.

#### Termination

We acknowledge this WCA agreement may be terminated by written notification, signed by all then-existing members of the WCA, to the Chief Engineer of the intent to terminate.

We also acknowledge that the Chief Engineer may terminate this WCA upon findings that it is not being upheld to its terms. Such termination shall give notice and require a full evaluation of the WCA, and water rights associated to ensure follow up actions.

#### State Law

We acknowledge that this WCA is subject to compliance with all other applicable state laws.

#### Notification to Nearby Owners

We acknowledge that, by statue, the Chief Engineer is required to provide written notification to all water right owners with a point of diversion within ½ of a mile, or farther if deemed necessary, by a rule and regulation of the Chief Engineer, of the geographic boundaries of this WCA.

#### Assurances

We acknowledge this WCA will not alter the terms, conditions, and limitations of the base water rights.

### Review of Other Applicable Requirements

We acknowledge that upon review, this WCA management plan was found to effect equal or greater overall conservation than applicable groundwater management district regulations, LEMA, and IGUCA requirements.

## Participant's Agreement

By signing below, we, the water right owners, agree that this management plan is fair and equitable. This management plan, provided to the Chief Engineer and water right owners, is the expressed written intent of the parties and the whole agreement between the parties. We, the water right owners agree to be bound by all the terms contained in this management plan and understand that the provisions of this agreement shall be construed to give effect to the provisions listed. We, the water right owners also agree that this management plan is the basis for a consent agreement among the Chief Engineer and the undersigned water right owners, and therefore any order and consent agreement issued by the Chief Engineer, designating this WCA, shall be binding upon all parties as the necessary formal implementation of this management plan.

	sereement shall be reaffirmed by all parties, after opportunisTriArIIII be reaffirmed by all parties, after opportunisTriArIIIII
	All participating water right owner(s) signing below, affirm their approval of this WCA
	management plan and if approved by the Chief Engineer allow consent to the Chief Engineer to
	formally approve the designation of this Water Conservation Area, described herein, by means of
$\cap$	a Consent Agreement and Order. And betterminated by the self-work agreement and order.
Horold	E Pletition Frances & Pletcher Date: 6-5-23
	(DONALD E & FRANCES L PLETCHER)- Owner (Signature)
	Water Right No(s). (2398, 3249, 4841, 7543, 8141, 8260, 9063, 9595, 11050, 11692, 11767,
	11795, 11817, 12493, 12582, 16352, 19211, 19212, 19506, 22114,
	23846, 25374, 26284)
	State Law
	(PO BOX 303, SHARON SPRINGS, KS 67758-0303)
	Full Mailing Address
	Notification to Nearby Owners ,
	Email Address  Phone Number  Phone Number
	Assurances
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	State of Kansas  ) SS  County of finney  ) stage and the stage of the

ant shall lie construed to give effect to the provisions listed. We,

AARON T HOLSTED

My Appointment Expires
May 18, 2027

right owners agree to be bound by all the terms con (Notary Seal) nos and maleistand

among the Chief Engineer and the undersigned water right owners, and therefore any order and

Notary Public

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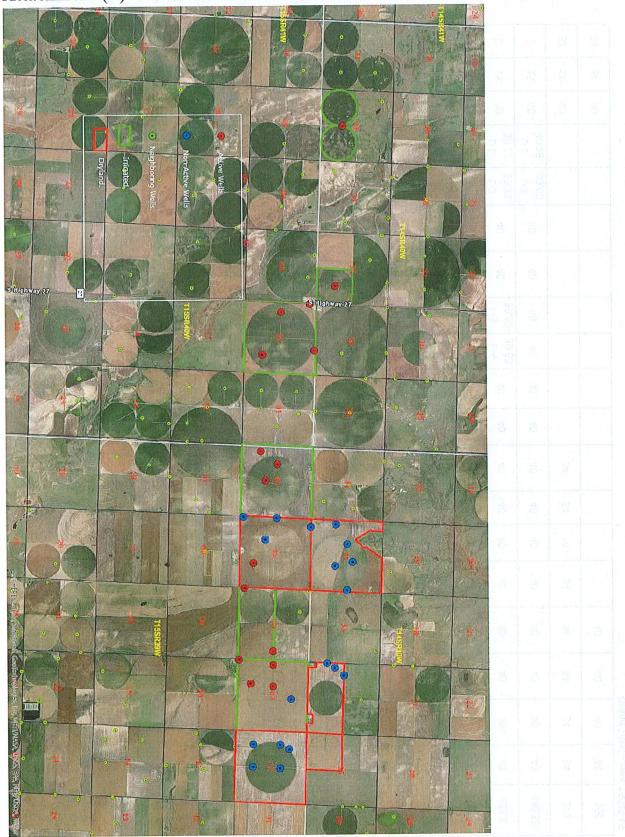
My commission expires:

CERTIFICATE OF SERVICE  I hereby certify that on this day of	copies of the foregoing were
sent via first class, U.S. mail, to the following:	
(Water Right Owner: Full Name)	
(Mailing Address: Full Street Address) (Mailing Address: City, State Zip)	
	Kansas Department of Agriculture Staff Person

## Attachment (A) – (geographic boundary)



## Attachment (B) – Active & Non-Active Wells



## Attachment (C) – (Detailed table with description of WCA geographic boundaries)

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			40	40			40		40	40	40	NW (1/4) SE (1/4)		
			40	L-3 39.67			28		L-3 39.87	L-3 40.39	L-3 40.3	NE (1/4)		
			40	L-4 39.63			37		L-4 39.83	L-4 40.67	L-4 41.34	NW (1/4)	WN	
			40	40			40		40	40	L-5 41.33	SW (1/4)	1	WC
			40	40			37		40	40	40	SE (1/4)		WCA Boundary
		34	40	40	40	40	40	40	40	40	40	NE (1/4)		ndary
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		34	40	40	40	35.4	40	40	40	40	L-7 41.51	SW (1/4)	SW (1/4)	
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1	40	34	40	40		40	40	40	40	40	40	SW (1/4)	1/4)	
	36	34	40	40		35.4	40	40	40	40	40	SE (1/4)		
	156	272	640.35	638.8	160	310.8	620	320	639.6	640.49	647.11	Acres	Total	

Grand Total Acres 5045.15

## Attachment (D) – (Public Summary & Historic Average Use)

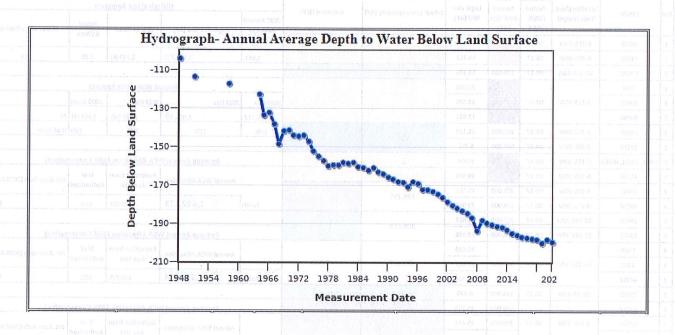
#### PLETCHER WCA Summary "Legal Ave Water Use" - A historical average calculated only using water use reports of equal or less than the annual authorized quantity. 2022 Historica Historical Use Summary ocation (Sect Annual 5-Year Lema Quantity (AF) Adjusted QTY: WR# ID# PDIV# Twn, Range) (2008-Auth Qt WU (AF) 2022 Annua Actual 2017) (AF) % Use of Authorized Auth Qty Legal Ave WU (AF) Al/Acre (AF) 08-17 45.941 18225 6-15S-39W 2398 54.342 7.85 19% 08-17 2,753.80 6-15S-39W 9,665 3249 41099 54.376 279.000 32-14S-39W 08-17 4841 52081 Recent Water Use Reports 23,668 5992 5-15S-39W 08-17 22.599 2021 Use 2022 Acre 20851 17.833 1.654.00 80688 1,615.917 2-15S-39W 08-17 391.000 21.127 13260 8141 547.000 6.757 2-15S-39W 08-17 29274 Average Annual WCA Allocation (10% Conservation) 8260 5992, 20851, 80688 5-15S-39W 08-17 0.000 % of 31660 5-15S-39W 08-17 19.672 Reduction from Est. Acre-Inch (2018 Acres Ave Use Authorize 4-15S-39W 271.000 45,556 539 735 9595 1,622.133 11.77 4-15S-39W 79.569 180,237 17% 36654 217.000 33.607 32-14S-39W 08-17 19300 309.618 11050 Average Annual WCA Allocation (15% Conservation) 196.000 28.935 33471 32-14S-39W 08-17 % of 34.918 Reduction fro Annual WCA Allocation Est. Acre-Inch (2018 Acres) Authorized Ave Use 0.000 499.035 11692 34-14S-39W 08-17 942.000 17.647 16% 11.11 1,532.014 44150 144.000 4.470 32-14-39W 08-17 11767 25665 Average Annual WCA Allocation (20% Conservation) 17517 276.000 31.202 % of 11795 37496 3-15S-39W 08-17 298,000 15,444 Reduction from Annual WCA Allocation Est. Acre-Inch (2018 Acres) Ave Use 44505 256,000 51.419 15% 10.46 583 939 1,441.896 319.000 153.409 Totals 360,474 11750 2-15s-40w 11817 6-15S-39W 08-17 1280.000 62.134 12493 1044 0.000 31660 5992 0.000 5-15S-39W 08-17 12582 3 0.000 80688 208,000 22.688 670.341 850,000 08-17 3-15S-39W 16352 18065 242 000 48.433 426.224 2 50866 2-15S-40W 08-17 320.000 101.156 5-Year LEMA QTY: 850.000 Wells Being Shut Off: 26431 34-14s-40w 271.000 151 637 563.646 326.83 AF 0.000 438,671 19506 39640 32-14S-39W 177.000 37.002 50.48 AF 35.895 1,430.271 850,000 11795(4000n/2410w) 29352 5-15S-39W 22114 7543, 8260, 9063, 12582 917 701 850.000 23846 51691 32-14S-40W 544.000 226.737 748.29 AF 32-14-39W 2-15S-39W 8150 326 832 0.000 25374 17.397 34-14-39W 499.04 AF 5 143.000 2-15S-39W 08-17 23029 2009.63 AF TOTAL: 17.856 2-15S-39W 44218 2-15S-40W 22767 3,475.000 996.142 08-17 111.175 2-15S-40W 45765 Sum: Sum:

Total combined authorized annual quantity = 9,665 acre-feet (AF)

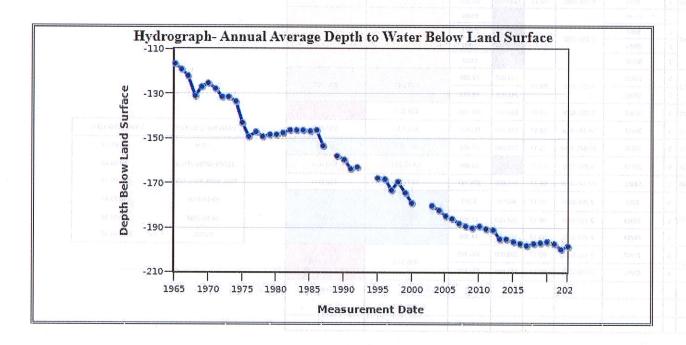
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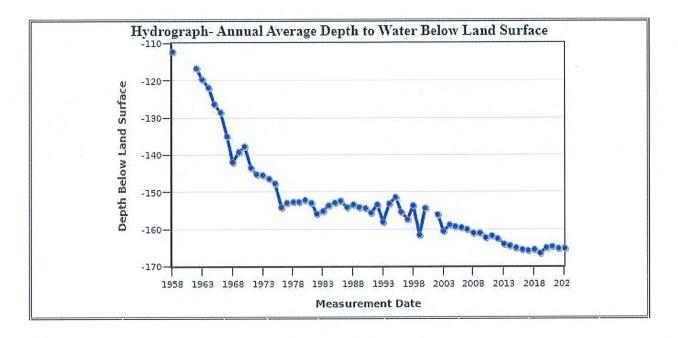
Attachment (E) – (KGS Observation well Hydrograph) 15S 39W 08ACC 01



15S 39W 06CBC 01



## Attachment (E continued) – (KGS Observation well Hydrograph) 15S 39W 02BCA 01



# Attachment (E continued) - (EGS Observation well Hydrograph) 15S 39W 62ECA 61

