

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

IN THE MATTER OF:

Wichita County Water Conservation Area)
Wichita County, KS)
_____)

Water Right, File No. 17427

**CONSENT AGREEMENT TO PARTICIPATE IN THE WICHITA COUNTY
WATER CONSERVATION AREA**

The Wichita County Water Conservation Area

The Chief Engineer of the Kansas Department of Agriculture, Division of Water Resources ("Chief Engineer") and a group of water right owners, in Wichita County, Kansas have conferred in good faith and have reached an agreement on the designation of the Wichita County Water Conservation Area ("WCWCA"), pursuant to K.S.A. 82a-745.

On March 7, 2017 the WCWCA was created by order of the Chief Engineer.

This document, its addendum, and attached WCWCA Management Plan serves as a consent agreement among the Chief Engineer and the undersigned water right owner(s) to enroll water rights in the Wichita County Water Conservation Area ("WCWCA") and to be bound by the terms and conditions of the WCWCA Management Plan.

Term of Agreement

The term of this agreement is seven (7) years. This agreement will automatically renew for seven (7) additional years pursuant to the terms of the WCWCA Management Plan unless the participant(s) submits a request to forgo renewal.

Corrective Control Provisions and Plan for Conservation

The attached WCWCA Management Plan is incorporated and made part of this agreement, and sets forth the corrective control provisions and plan for conservation, rules for establishing water allocations and for using water while participating in the WCWCA.

Addendum to this Agreement

The attached addendum is incorporated and made a part of this agreement, and includes these features for each water right subject to this agreement:

1. Agreement of years of participation.

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2. All points of diversion and associated water right files numbers.
3. All places of use by legal location description.
4. A map of the boundaries of each management unit, locations of each point of diversion place of use, and approximate locations of any water pipelines.
5. Summary of water use history, 2009-2015, of participating water rights/points of diversion.
6. Summary of Annual Quantity of Permissible Groundwater Withdrawal, as defined in the WCWCA Management Plan, for the seven-(7) year term of the consent agreement.

A new addendum will be prepared and signed by participants and the Chief Engineer for subsequent renewal periods consistent with the terms herein and the WCWCA Management Plan.

Participant's Agreement

This agreement is fair and equitable.

This agreement, entered into by the Chief Engineer and participants, is the expressed written intent of the parties and the whole agreement between the parties.

The provisions of this agreement shall be construed to give effect to the provisions of the WCWCA Management Plan.

This agreement may be modified as set forth in the terms of the WCWCA Management Plan and pursuant to written agreement of the participants and the Chief Engineer.

This 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. A copy of this agreement and Order Designating a WCA shall be filed with the register of deeds in Wichita County.

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 waive all rights to a hearing on or appeal of this agreement and Order Designating a Water Conservation Area.

FOR THE PARTICIPANT:

The participating water right owner has signed below, affirming his consent to the designation of the Water Conservation Area described herein.



Matthew W. Long
Water right owner

Date: 3/27/2017

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FOR THE KDA:

David Barfield

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

ACKNOWLEDGMENT

State of Kansas)

County of Riley)

This instrument was acknowledged before me on march 31, 2017

by Karen Hunter.



CERTIFICATE OF SERVICE

I hereby certify that on this 31st day march of 2017, true and correct copies of the foregoing were sent via first class, U.S. mail, to the following:

MATTHEW W LONG
203 S CARTER AVE
LEOTI KS 67861

Copies furnished electronically to:
Groundwater Management District No. 1
Water Commissioner, Garden City Field Office

Karen Hunter
Kansas Department of Agriculture
Staff Person

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DIVISION OF WATER RESOURCES -- KANSAS DEPARTMENT OF AGRICULTURE
ADDENDUM TO THE WICHITA COUNTY WATER CONSERVATION AREA
CONSENT AGREEMENT AND ORDER

WCA Beginning Year: 2017 WCA Ending Year: 2023 WCA Total Years: 7.

All listed water rights will be designated as a management unit: NO

WR#: 17427 Use Made of Water (Circle): Irrigation

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

Authorized Point of Diversion: one well located in the Northwest Quarter of the Northwest Quarter of the Southwest Quarter (N $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 2, more particularly described as being near a point 2,570 feet North and 5,220 feet West of the Southeast corner of said section, Township 17South, Range 36 West, Wichita County, Kansas.

Authorized Place of Use:

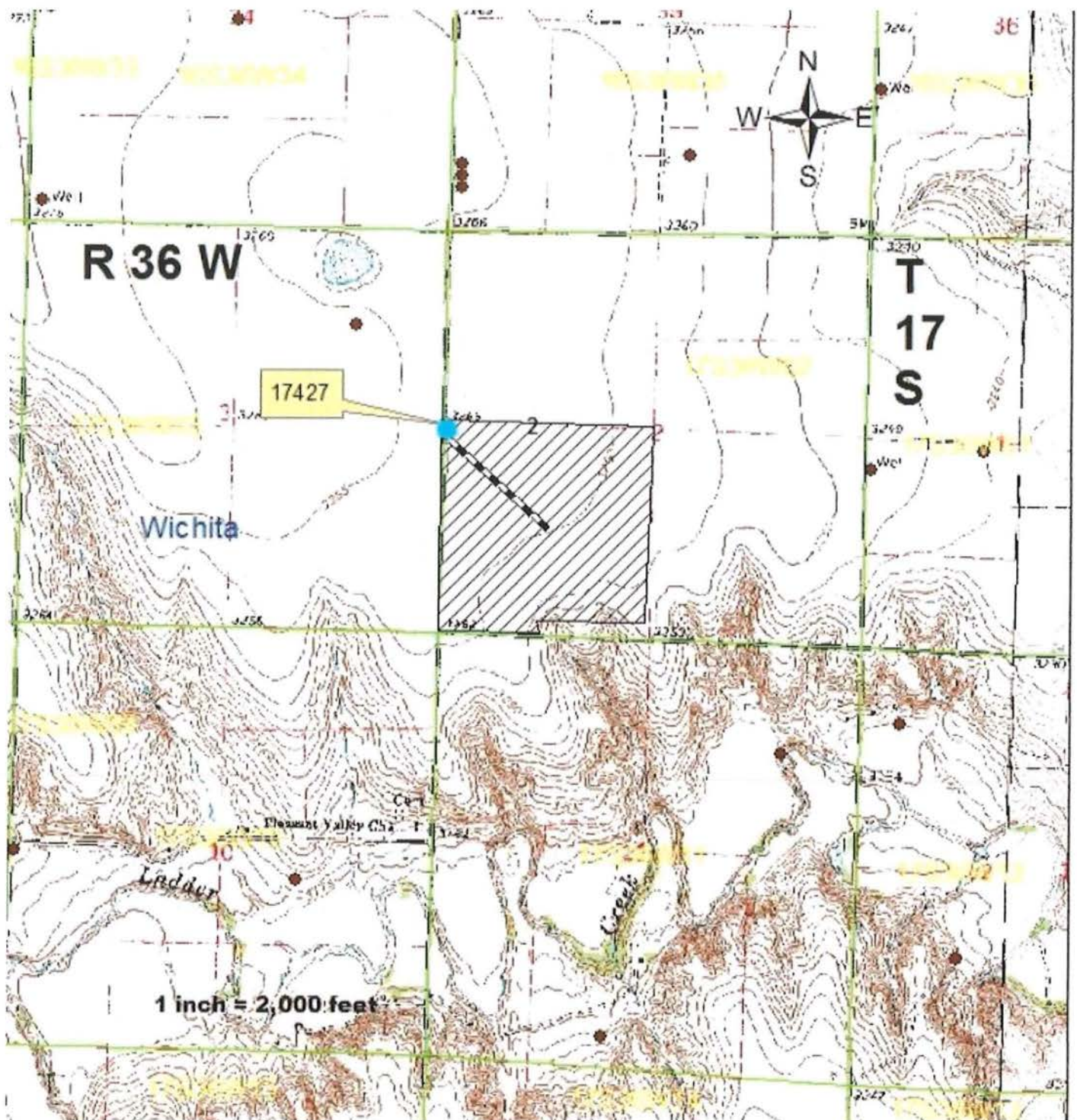
S	T	R	NE $\frac{1}{4}$ (acres)				NW $\frac{1}{4}$ (acres)				SW $\frac{1}{4}$ (acres)				SE $\frac{1}{4}$ (acres)				Total Acres
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2	17	36w									40	40	40	35					155

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KDA-DWR Map indicating WCA/Management Area Boundary, Point(s) of Diversion, Place(s) of Use, and Existing Pipelines as of (3-17-2017)



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WCWCA 2009-2015 Water Use History

WR#	ID#
17427	01
Base WR Allocation	
233	AF
Year	AF Used
2009	130.113
2010	142.54
2011	152.705
2012	172.96
2013	105.632
2014	EQIP
2015	EQIP

Total Use **703.95** **AF**

Ave Use **140.79** **AF**

*Notes: use

5-year

average

WCWCA Annual Quantity of Permissible Groundwater Withdrawal:**For Enrollment in 2017**

<u>Allocation Year</u>	<u>Reduction %</u>	<u>Yrs Remaining in Reduction %</u>	<u>Factor</u>	<u>WCA Allocation (AF)</u>
2017	29%	7	0.71	199.92
2018	29%	6	0.71	99.96
2019	29%	5	0.71	99.96
2020	29%	4	0.71	99.96
2021	29%	3	0.71	99.96
2022	29%	2	0.71	99.96
2023	29%	1	0.71	0

Total 7-Year Permissible Groundwater Withdrawal (AF) =

699.72 AF

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FOR THE PARTICIPANTS:

By signing this addendum, I the undersigned, hereby agree to participate in the Wichita County Water Conservation Area (WCWCA) in Wichita County, Kansas. I will hold myself accountable to the allocation(s) listed in this addendum as part of this Water Conservation Area (WCA). I have read the Wichita County WCA Consent Order and Agreement in its entirety. I agree to abide to the rules and regulations stated within the Wichita County WCA Consent Order and Agreement and requirements of this addendum.

Name: MATTHEW W. LONG Signature: [Signature] Date: 3/27/2017

Full Mailing Address: 203 S. Carter Ave, Leoti, KS 67861 Phone#: (620) 872 4842

Name: _____ Signature: _____ Date: _____

Full Mailing Address: _____ Phone#: () - .

All participating water right owners have signed, each affirming their consent to the designation of the Wichita County Water Conservation Area described herein; and on the Wichita County WCA Consent Order and Agreement.

FOR THE KANSAS DEPARTMENT OF AGRICULTURE:

[Signature]

David Barfield P.E.

Chief Engineer

Division of Water Resources

Kansas Department of Agriculture

ACKNOWLEDGMENT OF ADDENDUM

State of Kansas)

County of Riley)

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By Karen Hunter



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