

**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. 21010
_____)

**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 and its addendum, all previous amendments to the order designating the WCWCA approved by the Chief Engineer, and attached WCWCA Management Plan, as amended by the participants and the Chief Engineer, 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, as amended.

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, as amended, unless the participant(s) submits a request to forgo renewal.

Corrective Control Provisions and Plan for Conservation

The attached WCWCA Management Plan, as amended, 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.

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Division of Water Resources

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.
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, as amended.

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, as amended.

This agreement may be modified as set forth in the terms of the WCWCA Management Plan, as amended, 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.

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FOR THE PARTICIPANTS: The participating water right owner has signed below, affirming his/her consent to the designation of the Water Conservation Area described herein.

Victor Baker

Date: 12-20-2018

Owner, Owner (Signature)
Water Right No(s).

820 E County Rd H MARIENTHING, KS 67863

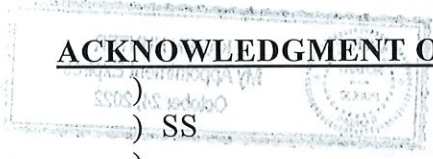
Full Mailing Address

Email Address

Phone Number

ACKNOWLEDGMENT OF NOTARY

State of Kansas)



) SS

County of Linney)

Acknowledged before me on December 20, 2018

by Victor Baker

Signature: Julie Jones
Notary Public



My commission expires: _____
(Notary Seal)

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Division of Water Resources

FOR THE KANSAS DEPARTMENT OF AGRICULTURE:

David W. Barfield

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

ACKNOWLEDGMENT OF NOTARY

State of Kansas)
) SS
County of Riley)

Acknowledged before me on December 26, 2018
by David W. Barfield

Signature: Karen Hunter
Notary Public

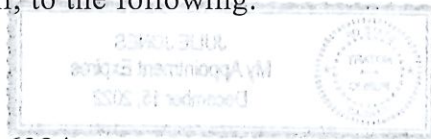


My commission expires: _____
(Notary Seal)

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:

VICTOR BAKER
820 E COUNTY ROAD H
MARIENTHAL KS 67863-6324



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

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Kansas Department of Agriculture
Staff Person

ADDENDUM TO THE WICHITA COUNTY WATER CONSERVATION AREA CONSENT AGREEMENT AND ORDER

WCA Beginning Year: 2019 WCA Ending Year: 2025 WCA Total Years: 7

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

WR#(s): 21010

Use Made of Water (Circle): Irrigation

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

Authorized Point of Diversion Water Right #

One well located in the NC Quarter of the N2 Quarter of the NE Quarter (NE¹/₄) of Section 14, Township 17 South, Range 36 West, Wichita County, Kansas.

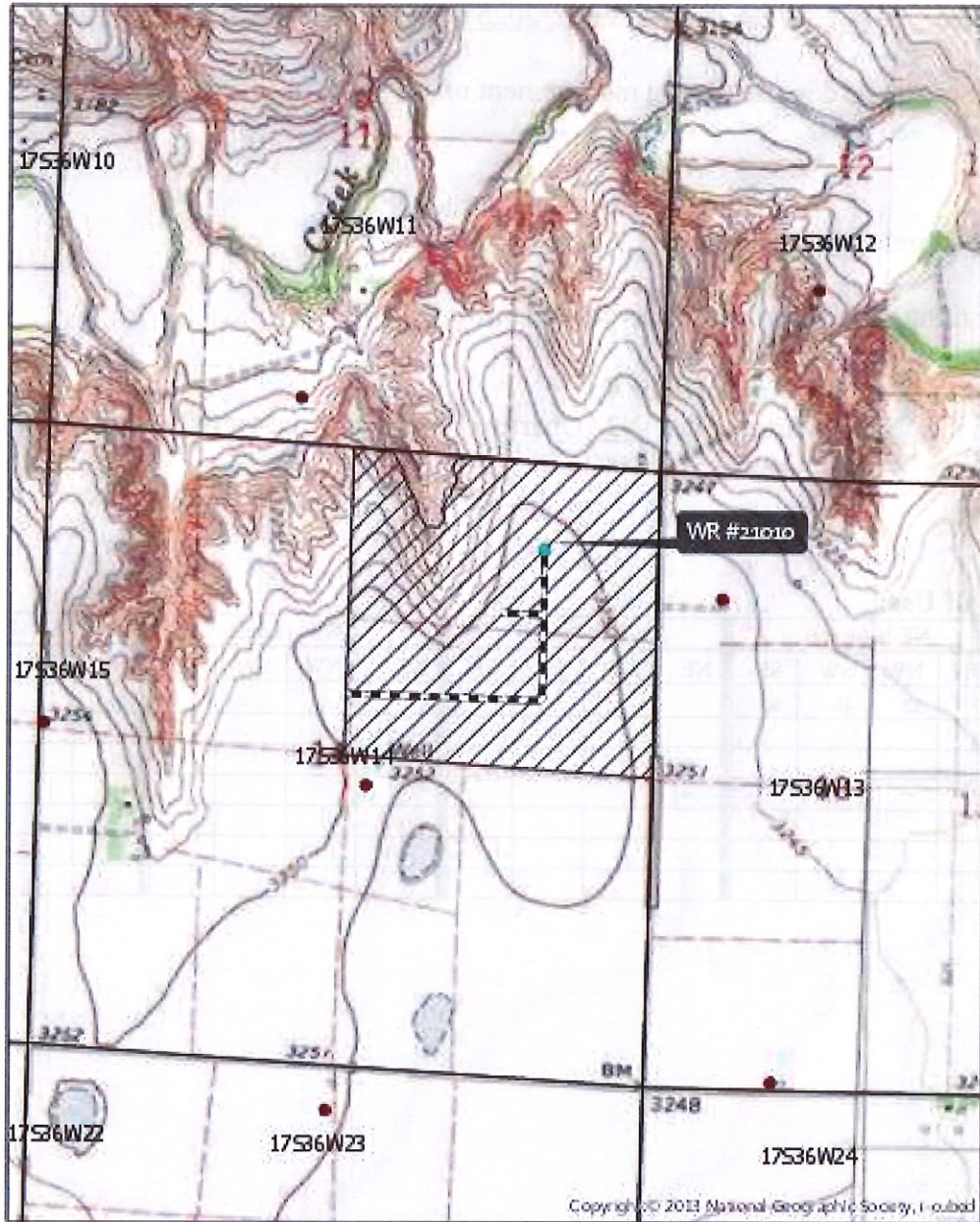
Authorized Place of Use:

S	T	R	NE ¼ (acres)				NW ¼ (acres)				SW ¼ (acres)				SE ¼ (acres)				Total Acres
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14	17S	36W	40	32	40	40													152

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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 (Date)



0 0.13 0.25 0.5 Miles



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WCWCA 2009-2015 Water Use History

WR#	21010	AF
PDIV#	16364	
Legal	14-17S-36W	
Auth. Qty.	290	
Year	Use	
2009	55.80	
2010	47.18	
2011	46.20	
2012	65.20	
2013	72.49	
2014	66.68	
2015	23.32	

Total Use 376.87 AF

Ave Use 53.84 AF

Limitations:

Notes:

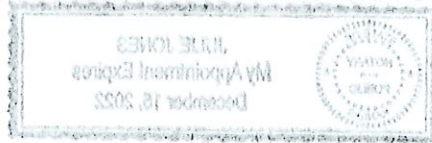
2009-2015 Total Water Use
376.867 AF

Average Water Use of all listed WR's:
53.838 AF

**WCWCA Annual Quantity of Permissible Groundwater Withdrawal:
For Enrollment in 2018**

<u>Participation Year</u>	<u>Reduction %</u>	<u>Deposit Schedule Factor</u>	<u>Factor</u>	<u>Annual Qty (AF)</u>
2019	31%	2	0.69	74.297
2020	31%	1	0.69	37.148
2021	31%	1	0.69	37.148
2022	31%	1	0.69	37.148
2023	31%	1	0.69	37.148
2024	36%	1	0.64	34.456
2025	36%	1	0.64	0.000

Total 7-Year Permissible Groundwater Withdrawal (AF) = 257.347



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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.

Victor Baker Date: 12-20-2018

Owner, Owner (Signature)
Water Right No(s).

820 E County Rd H MARIENTHAL, KS 67863
Full Mailing Address

Email Address Phone Number

ACKNOWLEDGMENT OF NOTARY

State of Kansas)
) SS
County of Linney)

Acknowledged before me on December 20, 2018
by Victor Baker

Signature: Julie Jones
Notary Public



My commission expires: _____
(Notary Seal)

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FOR THE KANSAS DEPARTMENT OF AGRICULTURE:

David Barfield

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

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