

Make checks payable to:
Central Kansas Water
Bank Association
125 S Main St
Stafford, KS 67578

Central Kansas Water Bank Association

(Application must be received by December 1st of the
year preceding the first deposit made)

CONTRACT TO OPEN SAVINGS ACCOUNT

For Office Use Only

Fee **\$ 100.00**

Form # _____

TR # _____

Date Recd _____

Time Recd _____

Initials _____

Applicant Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Home Phone: _____ Cell: _____ Email: _____

Water Right File No: _____ Overlapping Water Right File No(s): _____

Legal Desc: _____ 1/4 of _____ 1/4 of _____ 1/4, Sec _____ Twp _____ Rng _____, _____ County

Hydrologic Unit: _____ Vested _____ Certified _____

Certified Acre-Feet: _____ AF

The annual deposit will be calculated using the following formula:
(Certified Acre-Feet – Annual Water Use) x 25%

TERMS AND CONDITIONS OF CONTRACT. The Applicant desires to establish a savings account with Central Kansas Water Bank Association (Association) and, in consideration of acceptance of this application by the Association by its execution below and in further consideration of the mutual promises and covenants, the parties agree to the following terms and conditions and agree to be contractually bound.

TERMS OF PAYMENT The applicant agrees to pay the filing fee of **\$ 100.00** due at contract signing. The applicant agrees to pay the withdrawal fee of **\$ 100.00** due at time of withdrawal.

INSPECTION The Association shall have the right to inspect the point of diversion, place of use and water flow meter at any time during the term of this contract.

ASSIGNMENT The depositor may not use the deposited water without prior written permission of the Association and chief engineer.

WATER USE REPORTING Association participants will be required to submit their Water Use Reports to the Division of Water Resources by March 1st each year throughout the duration of the contract. A copy of the Water Use Report shall be sent to the Association by March 1st each year throughout the duration of the contract.

BINDING This contract shall be binding upon the parties hereto, their affiliates, heirs, executors, administrators, successors, and assigns including any purchaser, assignee, or donee of the water right.

COMPLIANCE WITH ALL LAWS This contract is subject to the provisions of, and the Applicant agrees to be bound by and comply with, the Association charter (Charter), the Kansas Water Banking Act (Act), and all rules and regulations set forth by Big Bend Groundwater Management District #5 and the Kansas Department of Agriculture, Division of Water Resources.

TERMINATION Upon termination and end of this contract, or in the event of breach of this contract, depositor agrees and promises to return any unused portion of the water to the Association without necessity of legal process and further agrees that any fees paid are not refundable if the water user terminates the contract, or causes it to be terminated, for any reason.

BREACH OF CONTRACT-PENALTIES If the Applicant is determined by the Association, in its sole discretion, to be in breach of this contract, the Applicant shall forfeit the right to participate in the Association in the future. All violations of the Act, Charter, and any applicable rules and regulations may be processed through Section 801 of the Charter, and K.A.R. 5-17-13, as amended.

ACKNOWLEDGEMENT OF TERMS AND CONDITIONS The undersigned acknowledges he/she/they have read and understand the terms and conditions of the above contract and have provided the Association with honest, accurate information in preparation of this contract.

Water Right Owner: _____ Date: _____

Association Representative: _____ Date: _____

Central Kansas Water Bank Association Charter
Section 507

Savings Accounts

The Association is authorized to enter into contracts with water users for the establishment of savings accounts. A savings account program allows a water user to place unused water from a water right into an account for use at a later date. A water right must be deemed bankable as per K.S.A. 2001 Supp. 82a-764, as amended before it is considered eligible for a savings account. The operation of savings accounts within the Association shall not increase the amount of net consumptive use of water in any hydrologic unit. The amount of a water right that can be deposited in any savings account shall be calculated using the following formula.

$$(WR - WU) * .25 = \text{Amount of water that can be deposited.}$$

where WR = certified quantity on water right

where WU = actual annual water use

where .25 = percent of quantity between WU and WR

Table 6 gives an example of a savings account.

Section 508

Rules for Savings Account Holder

Water users wishing to utilize the savings account program shall enter into a contract with the Association by December 1st of the year preceding the first year the water user wishes to make a deposit. An application for term permit shall be required prior to withdrawal of any water over and above the certified amount on a water right or vested right. The application for term permit shall be filed with the Division.

Only water that was unused in the past immediate year can be deposited into a savings account and it must be less than the amount authorized by the water right. Water shall be deposited in the account no later than March 1 of the year following the calendar year in which the water was not used.

Only water from one water right shall be placed in a savings account. Linked water rights that have common points of diversion or place of use may be placed in one account.

A ten percent conservation element shall be subtracted from the amount remaining in the account at the end of each year.

The total amount of water accumulated in a savings account shall not exceed the maximum annual quantity authorized to be diverted under the water right or the aggregate maximum quantity authorized to be diverted under all linked water rights from which water is deposited in the account (K.S.A. 82a-763(c)(5)).

The deadline to sign up for the savings account program shall be by December 1 of the year preceding the first year the owner desires to make a deposit in the savings account.