

# NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

Submit To: CHIEF ENGINEER  
 Division of Water Resources  
 Kansas Department of Agriculture  
 1320 Research Park Drive  
 Manhattan, Kansas 66502  
 http://agriculture.ks.gov/dwr

**APPLICATION FOR APPROVAL TO  
 CHANGE THE PLACE OF USE, THE  
 POINT OF DIVERSION OR THE USE  
 MADE OF THE WATER UNDER AN  
 EXISTING WATER RIGHT**



State of Kansas

*Filing Fee Must Accompany the Application  
 (Please refer to Fee Schedule on signature page of application form.)*

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

Water Resources  
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**OCT 31 2018**  
**12:55**  
 KS Dept Of Agriculture

1. Application is hereby made for approval of the Chief Engineer to change the
- Place of Use
  - (Check one or more)  Point of Diversion
  - Use Made of Water

File No. 4451

2. Name of applicant: Southwest Farms, LLC

Address: 15857 Bear Mountain Blvd

City, State and Zip: Bakersfield, CA 93311

Phone Number: (661) 396-9600 E-mail address: brent@makinmilk.com

What is your relationship to the water right;  owner  tenant  agent  other? If other, please explain. \_\_\_\_\_

Name of water use correspondent: Southwest Farms, LLC - Brent Stanley

Address: same

City, State and Zip: \_\_\_\_\_

Phone Number: (\_\_\_\_) \_\_\_\_\_ E-mail address: \_\_\_\_\_

3. The change(s) proposed herein are desired for the following reasons (please be specific): To change the place of use to support the expansion of the existing livestock facility from 52,000 to 72,500 head. Expansion to occur in construction phases. This change to place of use addresses Phases I & II of construction.

The change(s) (was) (will be) completed by Upon approval and expansion construction of Phases I&II, no later than 6/1/2019.  
 (Date)

For Office Use Only:							
F.O. <u>4</u>	GMD <u>3</u>	Meets K.A.R. 5-5-1 (YES / NO)	Use <u>12/31/18</u>	Source <u>(G)</u>	S County <u>HS</u>	By <u>DAW</u>	Date <u>10/31/18</u>
Code <u>CPU</u>	Fee \$ <u>200</u>	TR # _____	Receipt Date <u>10/31/18</u>	Check # <u>11591</u>			

11/1/2018 LEM

4. The presently authorized place of use is:

Owner of Land — NAME: Southwest Farms, LLC - Irrigation Use

ADDRESS: 15857 Bear Mountain Blvd, Bakersfield, CA 93311

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
28-27S-33W								31.33	31.33	31.33							20.00	31.00	31.00	175.99

List any other water rights that cover this place of use. 27607 IRR

Owner of Land — NAME: Southwest Farms, LLC - Stockwater Use

ADDRESS: 15857 Bear Mountain Blvd, Bakersfield, CA 93311

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES		
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼			
28-27S-33W			X	X	X	X	X*										X*	X*			N/A
							*(E/2 NE¼ NW¼)										*(NE¼ SE¼ and E/2 E/2 NW¼ SE¼)				

List any other water rights that cover this place of use. 27607 STOCK

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: Southwest Farms, LLC - Irrigation Use

ADDRESS: 15857 Bear Mountain Blvd, Bakersfield, CA 93311

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES		
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼			
28-27S-33W								31.33	31.33									31.00	31.00		124.66

List any other water rights that cover this place of use. 27607 IRR

Owner of Land — NAME: Southwest Farms, LLC - Stockwater Use

ADDRESS: 15857 Bear Mountain Blvd, Bakersfield, CA 93311

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES		
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼			
28-27S-33W			X	X	X	X	X										X	X			N/A

List any other water rights that cover this place of use. 27607 STOCK

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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

OCT 31 2018

- 6. The presently authorized point(s) of diversion (is) (are) 1 Well (IRR), 1 Primary Well & 2 Standby Wells (STOCK)  
(Provide description and number of points)
- 7. The proposed point(s) of diversion (is) (are) No proposed changes to POD.  
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the near center Quarter of the NW/4 Quarter of Section 28, Township 27 South, Range 33W (E/W), in Haskell County, Kansas, 3780 feet North 4029 feet West of Southeast corner of section. Authorized Rate 1405 Authorized Quantity 29 ac-ft IRR  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section. Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

9. **Presently authorized point of diversion:** Primary Well  
 One in the \_\_\_\_\_ Quarter of the near center Quarter of the NW/4 Quarter of Section 28, Township 27 South, Range 33W (E/W), in Haskell County, Kansas, 3780 feet North 4029 feet West of Southeast corner of section. Authorized Rate 300 Authorized Quantity 87.98 million gals STK  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section. Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

10. **Presently authorized point of diversion:** Standby Well - 1  
 One in the \_\_\_\_\_ Quarter of the near center Quarter of the NW/4 Quarter of Section 28, Township 27 South, Range 33W (E/W), in Haskell County, Kansas, 3785 feet North 4093 feet West of Southeast corner of section. Authorized Rate 300 Authorized Quantity 87.98 million gals STK  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section. Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. n/a

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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- 6. The presently authorized point(s) of diversion (is) (are) \_\_\_\_\_  
(Provide description and number of points)
- 7. The proposed point(s) of diversion (is) (are) \_\_\_\_\_  
(Provide description and number of points)

**List all presently authorized point(s) of diversion:**

8. **Presently authorized point of diversion:** Standby Well - 2

One in the NW/4 Quarter of the SW/4 Quarter of the SE/4 Quarter of Section 28, Township 27 South, Range 33W (E/W), in Haskell County, Kansas, 981 feet North 2635 feet West of Southeast corner of section.  
 Authorized Rate 300 Authorized Quantity 87.98 million gals STK  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed     This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
 This point is:  Additional Well     Geo Center    List other water rights that will use this point \_\_\_\_\_

9. **Presently authorized point of diversion:**

One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed     This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
 This point is:  Additional Well     Geo Center    List other water rights that will use this point \_\_\_\_\_

10. **Presently authorized point of diversion:**

One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed     This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
 This point is:  Additional Well     Geo Center    List other water rights that will use this point \_\_\_\_\_

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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12. The presently authorized use of water is for IRR/STOCK purposes.  
It is proposed that the use be changed to No changes to use purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.  
There will be no increase in the consumptive use. No increase in stockwater use is proposed to exceed the existing  
420 ac-ft (4451/27607 combined).

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to \_\_\_\_\_ (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to \_\_\_\_\_ gallons per minute (\_\_\_\_\_ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 ([www.usgs.gov](http://www.usgs.gov)). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

- a. If a change in the location of the point(s) of diversion is proposed, show:
  - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
  - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
  - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

No proposed changes to the existing water rights.

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NEEDED **OCT 31 2018**

Any use of water that is not as authorized by the water right or permit to authorize water before the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.


The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at BAKERSFIELD, <sup>CA</sup> ~~Kansas~~, this 17<sup>TH</sup> day of OCTOBER, 2018.

  
\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

BRENT STANLEY  
\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

State of Kansas )  
County of \_\_\_\_\_ ) SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

*See attached*

\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_

FFF SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (1) Application to change a point of diversion 300 feet or less ..... \$100
- (2) Application to change a point of diversion more than 300 feet ..... \$200
- (3) Application to change the place of use ..... \$200
- (4) Application to change the use made of the water ..... \$300

Make check payable to Kansas Department of Agriculture.

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**OCT 31 2018**

KS Dept Of Agriculture

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Kern

Subscribed and sworn to (or affirmed) before me on this 17th  
day of October, 2018, by Brent Stanley

proved to me on the basis of satisfactory evidence to be the  
person(s) who appeared before me.



(Seal)

Signature *Susan K. Lamas*

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**OCT 31 2018**

KS Dept Of Agriculture



## STOCKWATER USE SUPPLEMENTAL SHEET

File No. 27607/4451

Name of Applicant (Please Print): Southwest Farms, LLC

1. Please indicate type of livestock (cattle, hogs, etc.): Cattle

2. Please complete the following table showing past and present water requirements:

**PAST NUMBER OF HEAD AND WATER DIVERTED, IF APPLICABLE**

LAST 5 YEARS	NUMBER OF HEAD	WATER DIVERTED (GALLONS)	GALLONS PER HEAD PER DAY
2013 5 years ago	42,899	110,636,000	7.07 gals/hd/day
2017 Last year	35,753	80,485,197	6.13 gals/hd/day
Present Year	27,987 (through 9/2018)	70,884,225	9.3 gals/hd/day

3. Please complete the following table showing estimated future water requirements:

**ESTIMATED FUTURE NUMBER OF HEAD AND WATER DIVERTED**

NEXT 5 YEARS	NUMBER OF HEAD	WATER TO BE DIVERTED (GALLONS)	GALLONS PER HEAD PER DAY
Year 1	72,500	136,857,420	5.2 gals/hd/day
Year 2	72,500	136,857,420	5.2 gals/hd/day
Year 3	72,500	136,857,420	5.2 gals/hd/day
Year 4	72,500	136,857,420	5.2 gals/hd/day
Year 5	72,500	136,857,420	5.2 gals/hd/day

Please attach any additional information, tables, or curves showing past, present and estimated future water requirements to substantiate the amount of water requested.

4. Please designate the legal description of the location where the water is to be used. Show in the space provided below the Section (S), Township (T), and Range (R), and the number of acres in each forty acre tract or fractional portion thereof.

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
28	27S	33W	X	X	X	X	X				X					X	X			N/A

5. Show quantities of water used and all associated water uses at the feedlot such as water used in feed mills, cooling of animals, washing, flushing of wastes, etc.:

**DRINKING**

72,500 head of calves, young stock x 5 gallons/head (avg.) x 365 days = 123,164,420 gallons  
 \_\_\_\_\_ head of \_\_\_\_\_ x \_\_\_\_\_ gallons/head (avg.) x \_\_\_\_\_ days = \_\_\_\_\_ gallons  
 \_\_\_\_\_ head of \_\_\_\_\_ x \_\_\_\_\_ gallons/head (avg.) x \_\_\_\_\_ days = \_\_\_\_\_ gallons

**COOLING** n/a

\_\_\_\_\_ gallons/hour x \_\_\_\_\_ hour/day x \_\_\_\_\_ days = \_\_\_\_\_ gallons

**SANITATION**

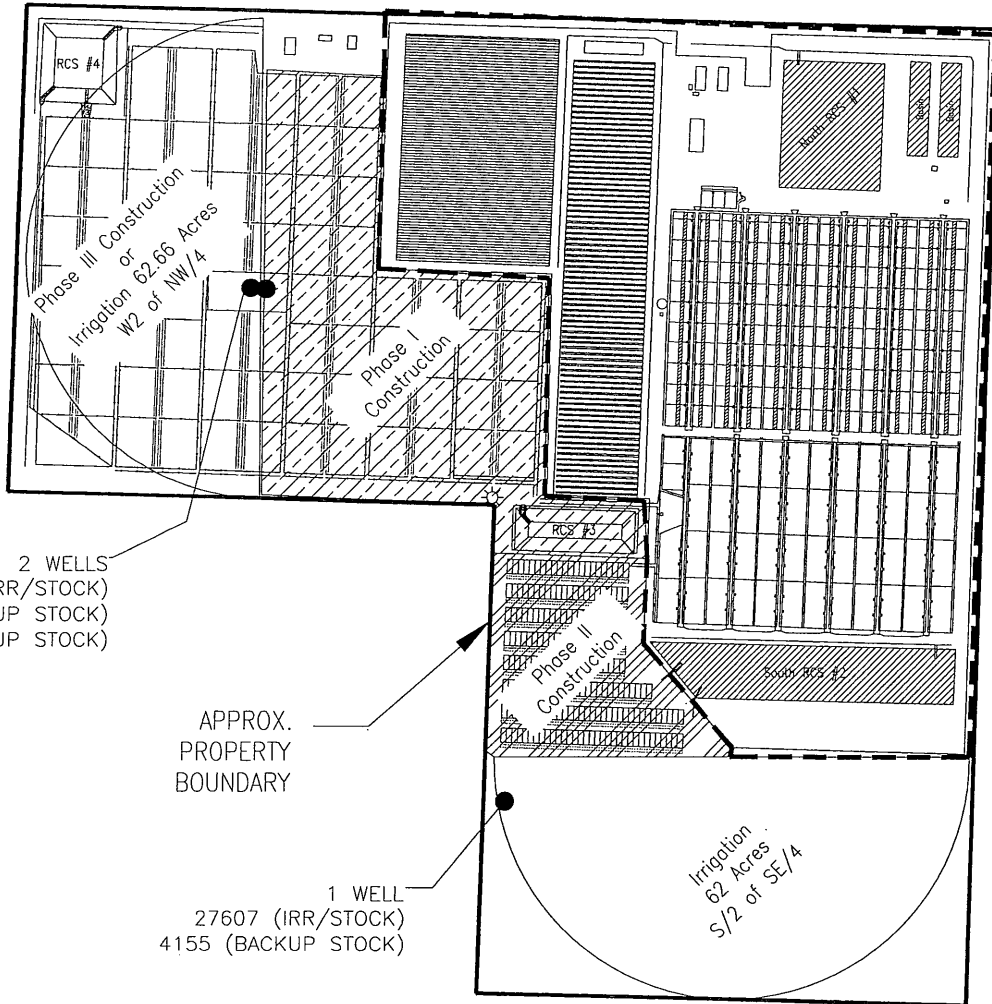
Milk Mixing Operations-Sanitation  
 6000 gals/day x 365 days/ry = 2.19M  
 \_\_\_\_\_ g.p.m. x 60 min/hr x \_\_\_\_\_ hr/wk x \_\_\_\_\_ wks/yr = \_\_\_\_\_ gallons

**OTHER USE** (Explain) \_\_\_\_\_ Milk mixing = 7.3M gallons  
 \_\_\_\_\_ Overflow Water Troughs 4.203 M gals

**TOTAL** ----- 136,857,420 gallons

6. Show location of present and future location of confinement pens on your attached maps or photographs.  
 Refer to attached Proposed Site Map.
7. Total feed bunk space for cattle or livestock is 47,315 linear feet.
8. Total size of stock pens for confinement area of cattle, hogs, etc. is 2,182,356 hutchessquare feet.  
 8,277,561 open lot pens

You may attach any additional information you believe will assist in informing the Division of Water Resources of the need for your request.



2 WELLS  
 4155 (PRIM IRR/STOCK)  
 4155 (BACKUP STOCK)  
 27607 (BACKUP STOCK)

APPROX.  
 PROPERTY  
 BOUNDARY

1 WELL  
 27607 (IRR/STOCK)  
 4155 (BACKUP STOCK)

Phase III Construction  
 or  
 Irrigation 62.66 Acres  
 W2 of NW/4

Phase I  
 Construction

Phase II  
 Construction

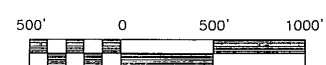
Irrigation  
 62 Acres  
 S/2 of SE/4

Water Resources  
 Received

**OCT 31 2018**



KS Dept Of Agriculture



SCALE AS SHOWN

SOUTHWEST CATTLE, LLC  
 SUBLETTE, KS  
 HASKELL COUNTY

PROPOSED SITE LAYOUT  
 DWR CHANGE APPLICATION  
 DATE: OCT. 2018



Enviro-Ag Engineering, Inc.  
 ENGINEERING CONSULTANTS  
 3404 Airway Boulevard  
 AMARILLO, TEXAS 79118  
 TEL (806) 353-6123 FAX (806) 353-4132



Corporate Office:  
3404 Airway Blvd.  
Amarillo TX 79118

Central Texas:  
9855 FM 847  
Dublin TX 76446

New Mexico:  
203 East Main Street  
Artesia NM 88210

October 29, 2018

Division of Water Resources  
Kansas Department of Agriculture  
2508 Johns Street  
Garden City, KS 67846-2804

Re: Application for Approval to Change the Place of Use for Water Right File Nos. 4451 and 27607, Southwest Farms, LLC in Haskell County, KS

Dear Chief Engineer,  
Attached is an application for approval to change the place of use for the above referenced Water Right Files.

If you have any questions or require additional information, please give me a call at 806/350-5463 or email me at [mshoemaker@enviroag.com](mailto:mshoemaker@enviroag.com).

Sincerely,

*Marsha Shoemaker*

Marsha Shoemaker  
Enviro-Ag Engineering, Inc.

Enclosures

Cc: Southwest Farms, LLC  
Kansas Department of Agriculture, Chief Engineer DWR, 1320 Research Park Drive,  
Manhattan, KS 66502

Water Resources  
Received

**OCT 31 2018**

KS Dept Of Agriculture

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777

900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov



GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

SOUTHWEST FARMS, LLC  
15857 BEAR MOUNTAIN BLVD  
BAKERSFIELD, CA 93311

November 1, 2018

RE: File No 4451

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use            PU
- point of diversion
- use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

**Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.**

**(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...**

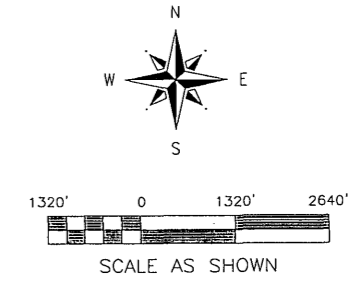
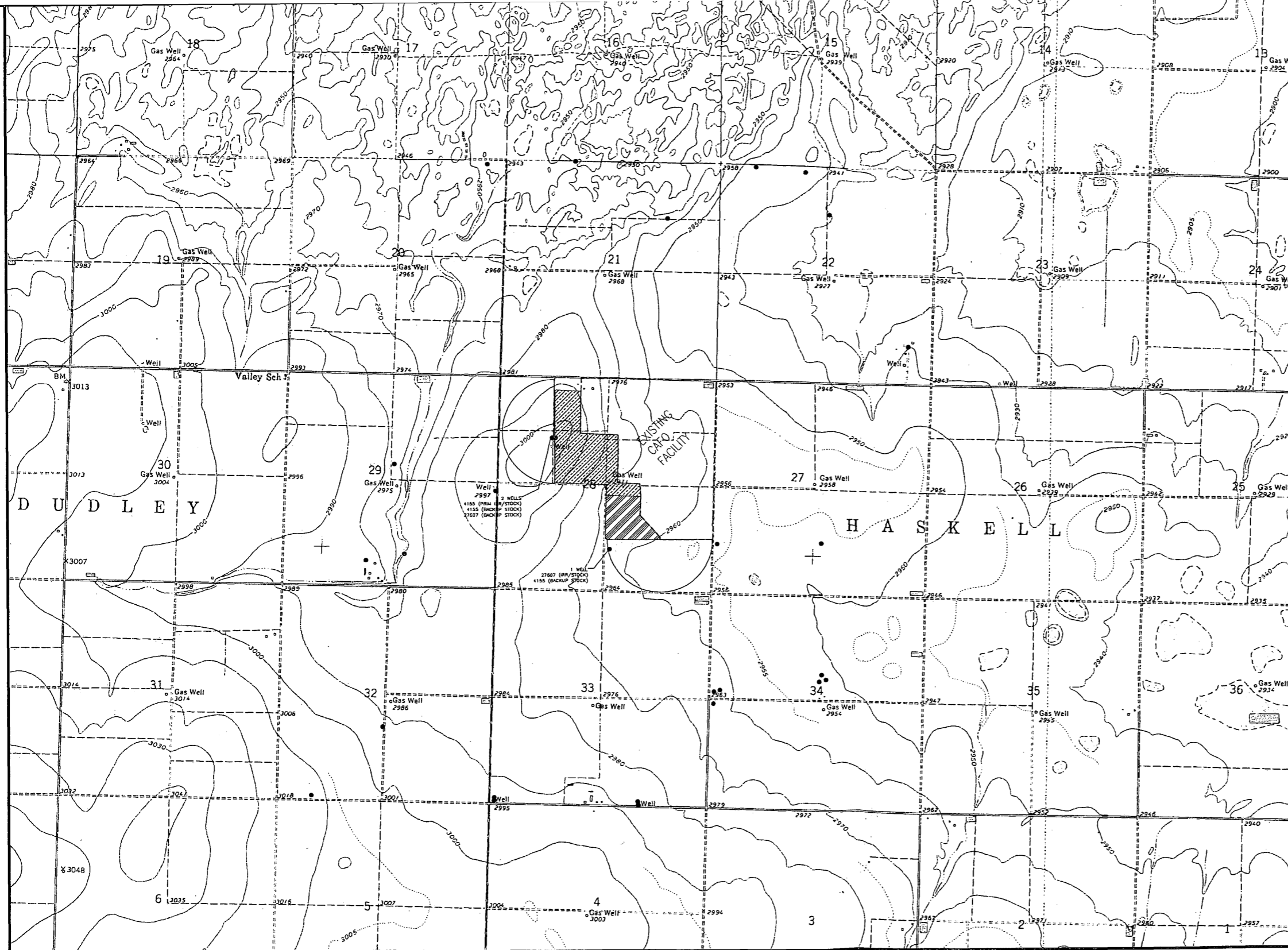
**A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.**

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent Tourney, L.G.  
Change Applications Unit Supervisor  
Water Appropriation Program

BAT: DLW  
pc: GARDEN CITY Field Office    GMD3



Legend:  
 ● Points of Diversion  
 (Within 1-mile as shown by WIMAS Mapper)  
 \*Details shown on Proposed Site Map.

Water Resources  
 Received  
**OCT 31 2018**

Source: USDA-NRCS. Geospatial Data Gateway.  
 Available at: <http://datagateway.nrcs.usda.gov/>.  
 Digital Raster Graphic County Mosaic by NRCS -  
 Accessed 4/2017.

SOUTHWEST CATTLE, LLC  
 SUBLETTE, KS  
 HASKELL COUNTY

7.5-MIN. USGS QUADRANGLE MAP  
 DWR CHANGE APPLICATION-PLACE OF USE  
 WRs 4451 (IRR/STOCK) & 27607 (IRR/STOCK)



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