WATER RESOURCES RECEIVED

MAY 10 2024

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 Agricult. CHANGE THE PLACE OF USE, THE POINT OF DIVERSION OR THE USE MADE OF THE WATER UNDER AN EXISTING WATER RIGHT St.



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.

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. <u>27607</u>
2.	Name of applicant: Southwest Farms, LLC
	Address: 126 Main Avenue, Suite 104
	City, State and Zip: Brookings SD 57006
	Phone Number: (559) 805-3271 E-mail address: josh tevelde@yahoo.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 – Josh TeVelde Address: Same as above City, State and Zip:
	Phone Number: ()
3.	The change(s) proposed herein are desired for the following reasons (please be specific): To change the place of use and make of use to support expansion of facility.
	The change(s) (was) (will be) completed by Upon approval and final construction of expansion (Date)
Fo F.C	r Office Use Only: D. 4 GMD 3 Meets K.A.R. 5-5-1 YES/NO) Use IRR/STK Source G/S County HS By KJN Date 5/13/24 de C- 2 Fee \$ 500 TR # Receipt Date 5-10-24 Check # 16/77

File No. 27607

4. The presently authorized place of use is:

KS Dept. of Agriculture

Owner of Land — NAME: Southwest Farms, LLC – Irrigation use

ADDRESS: 126 Main Avenue, Suite 104 Brookings SD 57006

				NE	Ξ1/4			NV	V1/4			SV	V1/4			SE	Ξ1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	ACRES												
28	27S	33W						40.0	40.0								40.0	40.0	160.0

List any other water rights that cover this place of use. 4451 Irrigation

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

ADDRESS: 126 Main Avenue, Suite 104 Brookings SD 57006

				NE	Ξ1/4			NV	V1/4			SV	V1/4			SE	Ξ1/4		TOTAL
Sec.	Twp	. Range	NE1/4	NW1/4	SW1/4	SE1/4	ACRES												
28	27S	33W	X	X	X	X	X			X					X	X			
			-																

List any other water rights that cover this place of use. 4451 Stockwater

(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: 126 Main Avenue, Suite 104 Brookings SC 57006

			NE	Ξ1/4			NV	V1/4			SV	V1/4			SE	Ξ1/4		TOTAL
Sec. Tw	p. Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
							1	Vo irri	gation	use pr	oposed	d						

List any other water rights that cover this place of use. 4451 Irrigation

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

ADDRESS: 126 Main Avenue, Suite 104 Brookings SC 57006

				NE	Ξ1/4			NV	V1/4			SV	V1/4			SE	Ξ1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	ACRES												
28	275	33W	X	Y	Y	Y	Y	Y	Y	Y					X	X	Y	Y	
	275	33 **	71	Λ	Λ	Λ	Λ	A	Λ	Λ					21	71	71	Λ	

List any other water rights that cover this place of use. 4451 Stock

File No. 276	207
FILE IVO 7/6	3U /

Т	he presently authorized	point(s) of diversion (is)	(arc)_	Tron migation	(Provide description and number of poir	WATER RESOURCE
Т	he proposed point(s) of	diversion (is) (are) No po	ropose	ed change of POD		144 10 2026
Ĺ	ist all presently author	rized point(s) of diversi	on:		(Frovide description and number of poin	
P	resently authorized po	oint of diversion:				NS Dept. or Agricos
С	ne in the NW4	Quarter of the	e_SW4		Quarter of the SE4	Quarter
0	Section 28	, Township_	27		_South, Range_33 West_	(E/W),
ir	Haskell	County, Kansas, 981		feet North_2635	feet West of Souther	ast corner of section.
Α	uthorized Rate 500 STK	-1265 IRR Authorized Qu	uantity	/ <u>150 ac/ft STK; 22</u>	9 ac/ft IRR	
(I	OWR use only: Compu	iter ID No	_GPS	S	_feet North	_feet West)
	This point will not be	changed	int wi	II be changed as	follows:	
P	roposed point of diver	rsion: (Complete only if	f chan	ge is requested)		
					Quarter of the	Quarter
					South, Range	
					feet West of Souther	
		Proposed Quar				
					hat will use this point	
	resently authorized po					
					Quarter of the	
					South, Range	
	1	County Vancos			f 1 \	act corner of coction
		•			feet West of Souther	ast corner or section.
А	uthorized Rate	Authorized Qua	antity _			
Α	uthorized Rate	Authorized Qua	antity _			
(I	uthorized Rate DWR use only: Comp	Authorized Qua	antity _ GPS	3	_feet North	
(I	uthorized Rate DWR use only: Compu] This point will not be	Authorized Qua	antity _ GPS pint wi	S II be changed as	_feet North	
(I []	uthorized Rate	Authorized Quauter ID Noe changed This po	antity _ GPS oint will	S	_feet North	_feet West)
(I) [] P	uthorized Rate	Authorized Quauter ID No e changed This porsion: (Complete only if	antity _ GPS pint will f chan e	S II be changed as age is requested)	_feet Northfollows:	_feet West)
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(I) D O O III	uthorized Rate	Authorized Qualiter ID Noe changed	antity _ GPS oint will f chan e	S	_feet Northfollows: Quarter of theSouth, Rangefeet West of Southe	feet West)Quarter(E/W), ast corner of section.
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	uthorized Rate	Authorized Qualiter ID Noe changed	antityGPS bint will f chan e ntity List o e antityGPS	S	feet North	Quarter(E/W), ast corner of section. Quarter(E/W), ast corner of section.
	uthorized Rate	Authorized Qualiter ID Noe changed	antityGPS bint will f chan e ntity eantityGPS bint will	Il be changed as age is requested) feet North other water rights age is requested.	feet North	Quarter(E/W), ast corner of section. Quarter(E/W), ast corner of section.
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	uthorized Rate	Authorized Qualiter ID Noe changed	antityGPS bint will f chan e ntity List o e antity _ GPS bint will f chan e	Il be changed as age is requested) feet North other water rights age is requested)	feet North	Quarter(E/W), ast corner of section. Quarter(E/W), ast corner of section. feet West)
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	uthorized Rate	Authorized Qualiter ID Noe changed	antityGPS oint will f chan e ntity e antity GPS oint wi f chan e ntity antity _ antity _ antity antity _	Il be changed as age is requested) feet North other water rights for the changed as age is requested) feet North Ill be changed as age is requested)	feet North	Quarter(E/W), ast corner of sectionQuarter(E/W), ast corner of sectionfeet West)Quarter(E/W), ast corner of section.
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WATER RESOURCES RECEIVED

MAY 10 2024

File No. <u>27607</u>

12.	The	pre	resently authorized use of water is for <u>Irrigation and Stockwater</u> to Agricultureses.	
	It is	pro	oposed that the use be changed to <u>Stockwater</u> p	ourposes.
13.			nging the place of use and/or use made of water, describe how the consumptive use will new will be no increase in consumptive use. Irrigation ac/ft will be decreased	
			ersion rate for Haskell County. Rate of diversion on irrigation use will be re	duced to current rate of
	div	ers	sion allowed for stockwater.	
	_			
	(Plea	ase s	e show any calculations here.)	
14.	It is	req	quested that the maximum annual quantity of water be reduced to 344 ac/ft	(acre-feet or million gallons).
15.	It is	req	quested that the maximum rate of diversion of water be reduced to <u>500</u> gallo	ns per minute (c.f.s.).
16.	1:24 660 Nor sho	4,00 47-3 th a wn.	pplication must include either a topographic map or detailed plat. A U.S. Geological Sur 00, is available through the Kansas Geological Survey, 1930 Constant Avenue, University or -3726 (www.usgs.gov). The map should show the location of the presently authorized po and West of the Southeast corner of the section must be shown. The presently authorized in Identify the center of the section, the section lines and the section corners and show the ange numbers on the map. In addition the following information must also be shown on the	of Kansas, Lawrence, Kansas pint(s) of diversion. Distances d place of use should also be appropriate section, township,
	a.	If a	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 So must be shown. Please be certain that the information shown on the map agrees w 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 wells, within $\frac{1}{2}$ mile of the proposed well or wells. Identify each well as to its use ar address of the property owner or owners. If there are no wells within $\frac{1}{2}$ mile, please ind	nd furnish name and mailing
		3)	If the source of supply is surface water, the names and mailing addresses of all lands and $\frac{1}{2}$ mile upstream from your property lines must be shown.	owner(s) ½ mile downstream
	b.		a change in the place of use is desired, show the proposed place of use by crosshatching ertain that the information shown on the map agrees with the information shown in Paragra	
17.	loca	al so s, te	documentation to show the change(s) proposed herein will not impair existing water rigource of supply as to which the water right relates. This information may include statement est hole logs, and other information as necessary information to show the above. Addition.	s, plats, geology reports, well
	_			
18.	ider sho	ntify uld	proposed change(s) does not meet all applicable rules and regulations of the Kansas Way the rules and regulations for which you request a waiver. State the reason why a waiver is be granted. Attach documentation showing that granting the request will not impair existically and unreasonably affect the public interest.	needed and why the request

WATER RESOURCES RECEIVED

MAY 10 2024

File No. 27607

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.

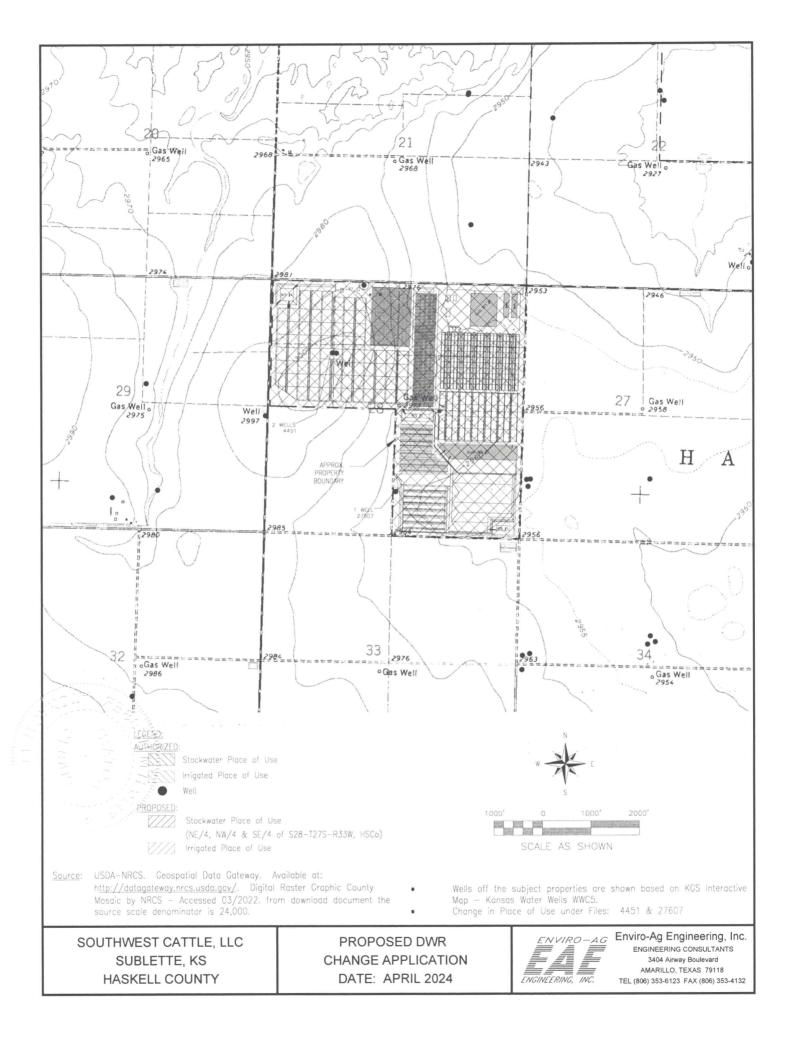
In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

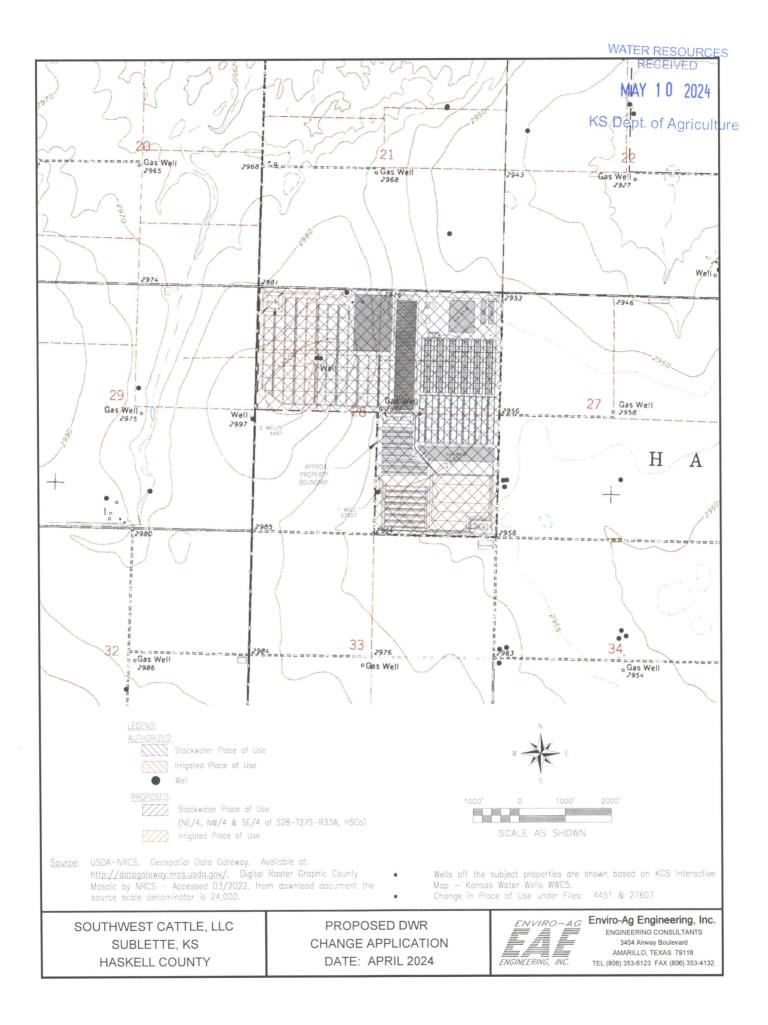
If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

of an executor, executify, 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 authorized to make this application on their behalf, and declare furt complete. By filing this application I authorize the chief engineer to per specified in sections 14 and 15 of this application.	ther that the statements contained herein are true, correct, and rmanently reduce the quantity of water and/or rate of diversion as
Dated at Brookings, SD , Kansas, this	$\frac{26}{3}$ day of $\frac{1}{3}$ $\frac{1}{3$
Josh tevolde	
Jah told:	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas South Dakota County of Reco Kings	
I hereby certify that the foregoing application was signed in my	presence and sworn to before me thisdb+h_ day of
	Saval M. Hesser
My Commission Expires May 5, 2027	Notally Fubility
FEE SCHED	DULE
Each application to change the place of use, the point of diversion or the us application fee set forth in the schedule below:	e made of the water under this section shall be accompanied by the
 (1) Application to change a point of diversion 300 feetor less	\$100 \$200 \$200

Application to change the use made of the water \$300

Make check payable to Kansas Department of Agriculture.





Managementary description of the state of th	WELL USE Irrigation Stockwater
1040164985 37.6821874 -100.929914 Haskell 27 S 33 W 21 SE CIRCLE BAR LAND HOLDING LLC 842 RD 60 SATANTA KS 67870	
	Stockwater
1051996232 37.6791719 -100.9170806 Haskell 27 S 33 W 22 SW SE SE SOUTHWEST FARMS LLC 126 MAIN AVE STE 104 BROOKINGS, SD 57001	
1040165007 37.6670725 -100.9253145 Haskell 27 S 33 W 27 SW NW NW COXLAND 1111 RD 90 SUBLETTE, KS 67877	Irrigation
1041770872 37.6674268 -100.9165074 Haskell 27 S 33 W 27 SW SE NE NE 1111 RD 90 SUBLETTE, KS 67877 1111 RD 90 SUBLETTE, KS 67877	Irrigation
1040166036 37.6649406 -100.9517604 Haskell 27 S 33 W 29 SE SW SW CIRCLE BAR PROPERTIES LLC 842 RD 60 SATANTA, KS 67870	Domestic
1040377971 37.6660028 -100.952121 Haskell 27 S 33 W 29 SE SW NW SW CIRCLE BAR PROPERTIES LLC 842 RD 60 SATANTA, KS 67870	Irrigation
1041770874 37.6721898 -100.9525429 Haskell 27 S 33 W 29 NE SW SW DARCY KELLS FAMILY TRUST 842 RD 60 SATANTA, KS 67870	Irrigation
1041770875 37.6710022 -100.944544 Haskell 27 S 33 W 29 SE NE NE NE DARCY KELLS FAMILY TRUST 842 RD 60 SATANTA, KS 67870	Irrigation
1041770894 37.6578085 -100.9251498 Haskell 27 S 33 W 34 NW SW SW NW WOODFORD-O'BRATE INC 1325 HINEMAN DR GARDEN CITY, KS 67846	Irrigation
1041770895 37.6589427 -100.9167393 Haskell 27 S 33 W 34 NW SE NE SE WOODFORD-O'BRATE INC 1325 HINEMAN DR GARDEN CITY, KS 67846	Irrigation
1044093653 37.6577233 -100.9251395 Haskell 27 S 33 W 34 NW SW SW NW WOODFORD-0'BRATE INC 1325 HINEMAN DR GARDEN CITY, KS 67846	Irrigation

Data obtained from the WWC5 Water Well Database Query and WIMAS Water Rights Database (https://kgs.ku.edu/water-resources-and-geohydrology) .
"Well Owner as noted on WWC5 database and Addresses obtained from the Open Records for Kansas Appraisers - Haskell County (https://www.kansasgis.org/orka/map.cfm) OR from the well log obtained from WWC5 Database Query (https://www.kgs.ku.edu/wwk.gsk.uk.edu/wagelanWystar/Welfvindex.html)

WATER RESOURCES RECEIVED MAY 10 2024 KS Dept. of Agriculture

MAY 10 2024

STOCKWATER USE SUPPLEMENTAL SHEET

KS Dept. of Agriculture

File No. 27607/4451 3386/8678

	Name of Applicant (Please Print): Southwest Farms, LLC
1.	Please indicate type of livestock (cattle, hogs, etc.):Cattle
2	

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
5 years ago	35,753	80,485,197	6.13 gals/hd/day
2023 Last year	35,851	136,716,887	10.5 gals/hd/day
Present Year			

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	257,096,439	9.7 gals/hd/day			
Year 2	72,500	257,096,439	9.7 gals/hd/day			
Year 3	72,500	257,096,439	9.7 gals/hd/day			
Year 4	72,500	257,096,439	9.7 gals/hd/day			
Year 5	72,500	257,096,439	9.7 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.

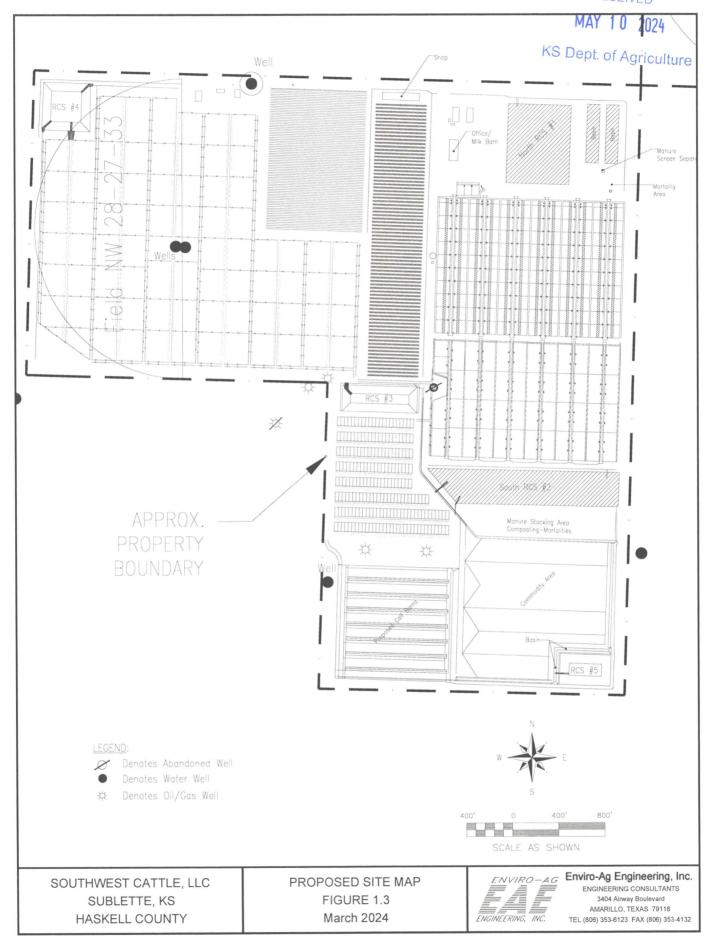
4. Please designate the legal description of the location where the water is to be used. Show in the space provided below the Section (S), Township (T), and Range (R), and the number of acres in each forty acre tract or fractional portion thereof.

	т	R	NE¼			NW¼			SW¼			SE¼				TOTAL			
	1	K	NE	NW	sw	SE	NE	NW	sw	SE	NE	NW	sw	SE	NE	NW	sw	SE	TOTAL
28	27S	33W	X	Х	Х	Х	Х	Х	Х	Х					Х	Х	Х	Х	

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KS Dept. of Agriculture

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 = 9.3 gallons/head (avg.) $x = 365$ days = $245,212,689$ gallons					
	head of	x gallons/head (avg.) x days = gallons					
	head of	x gallons/head (avg.) x days = gallons					
	COOLING n/a						
	gallons/hour xhour/day xdays =gallons SANITATION						
	OTHER USE (Explain) = 6.844Mgallons						
		Overflow Water Troughs 2.85 M gals					
	<u>TOTAL</u>	257,0 <u>96,439</u> 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 <u>53,342</u> linear feet.						
8.	Total size of stock pens for confinement area of cattle, hogs, etc. is2,182,356 hutchessquare feet.						
		8,343,858 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.							





Corporate Office: 3404 Airway Blvd. Amarillo TX 79118 Central Texas: 9855 FM 847 Dublin TX 76446 New Mexico: 110 East Mill Road Artesia NM 88210

May 3, 2024

Chief Engineer
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502

WATER RESOURCES RECEIVED

MAY 1 0 2024

KS Dept. of Agriculture

Re: Application for Approval to Change the Place of Use and Use Made of Water for Water Right File Nos. 3386, 4451 and 27607 – Haskell County, KS

Dear Chief Engineer,

Attached are applications for approval to change the place of use and use made of water for the above referenced Water Right Files at Southwest Farms, LLC. The appropriate application fees are attached.

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.

Sincerely,

Marsha Shoemaker

Enviro-Ag Engineering, Inc.

Marsha Shoemaker

Enclosures

Cc: Southwest Farms