



ILS
INNOVATIVE LIVESTOCK SERVICES, INC.

"Performance through Innovation"

Mr. David Barfield, P.E.
Chief Engineer
Division of Water Resources – KDA
1320 Research Drive
Manhattan, Kansas 66502

July 10, 2013

Water Resources
Received

JUL 16 2018

KS Dept Of Agriculture

Dear Chief Barfield,

RE: Approval of Change Applications regarding R9 Water Rights

Innovative Livestock Services Inc. is one of the largest water right holders in the Mid Ark Basin and consequently would suffer great damage if the proposal to transfer water from the R9 ranch to the Hays and Russell area is not handled in a sustainable way. ILS is not opposed to the transfer of water but is asking that it be done in a way that is sustainable and does not deplete the water resources in the Ark Basin on a permanent basis. I am urging you to be sure you are following the volumes of research that have been accumulated over the years which indicate the crop usage of irrigation water is much lower in the area of the R9 property because of soil types. In order to be sustainable it would require a much lower level of water transfer than you are currently proposing.

I believe strongly in personal property rights and strong adherence to their enforcement by our governmental entities. It is the responsibility of DWR to assure that if the water is transferred from the R9 to Hays and Russell it has no long term permanent effect on the other water right holders in the Ark Basin. When the water is transferred there is no water returned to the aquifer as there is when it is used for crop irrigation on the R9 property. This fact alone should provide reason for extreme caution when looking at the amount of acre feet of water approved for transfer. Even though this is a years old issue, I would ask you to be very diligent in your consideration before making a permanent decision. Once approved it is next to impossible to change. As an independent operator trying to challenge the rights of a municipal government entity in the future, it will be extremely difficult to right a wrong decision.

Thank you for your consideration of my request and I hope my comments have been helpful.

Lee Borck
Chairman
Innovative Livestock Services Inc.

Cc: Kansas Secretary of Ag Jackie Mccalsky