

File No. 50,411	15. Formation Code: 100	Drainage Basin: NEOSHO RIVER	County: CF	Special Use:	Stream:																																																																																																																												
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th colspan="10">16. Points of Diversion</th> <th colspan="5">17. Rate and Quantity</th> </tr> <tr> <th rowspan="2">T MOD DEL ENT</th> <th rowspan="2">PDIV</th> <th rowspan="2">Qualifier</th> <th rowspan="2">S</th> <th rowspan="2">T</th> <th rowspan="2">R</th> <th rowspan="2">ID</th> <th rowspan="2">'N</th> <th rowspan="2">'W</th> <th rowspan="2"></th> <th colspan="2">Authorized</th> <th colspan="2">Additional</th> <th rowspan="2">Overlap PD Files</th> </tr> <tr> <th>Rate gpm</th> <th>Quantity af</th> <th>Rate gpm</th> <th>Quantity af</th> </tr> <tr> <td>√</td> <td>88306</td> <td>SE SE SE</td> <td>17</td> <td>21S</td> <td>15E</td> <td>2</td> <td>383</td> <td>52</td> <td>(Geo-Ctr)</td> <td>800</td> <td>320</td> <td>800</td> <td>320</td> <td>NONE</td> </tr> <tr> <td>√</td> <td>88307</td> <td>NE SE SE</td> <td>17</td> <td>21S</td> <td>15E</td> <td>3</td> <td>683</td> <td>52</td> <td>(Batt 1 of 2)</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>MOD</td> <td>88308</td> <td>SE SE SE</td> <td>17</td> <td>21S</td> <td>15E</td> <td>4</td> <td>83</td> <td>52</td> <td>(Batt 1 of 2)</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </table>						16. Points of Diversion										17. Rate and Quantity					T MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W		Authorized		Additional		Overlap PD Files	Rate gpm	Quantity af	Rate gpm	Quantity af	√	88306	SE SE SE	17	21S	15E	2	383	52	(Geo-Ctr)	800	320	800	320	NONE	√	88307	NE SE SE	17	21S	15E	3	683	52	(Batt 1 of 2)						MOD	88308	SE SE SE	17	21S	15E	4	83	52	(Batt 1 of 2)																																																		
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18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft																																																																																																																																	
19. Limitation: _____ /yr at _____ gpm (_____ cfs) when combined with file number(s) _____ Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____																																																																																																																																	
20. Meter Required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No To be installed by <u>12/31/2021</u> Date Acceptable Meter Installed _____																																																																																																																																	
21. Place of Use																																																																																																																																	
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Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
M E M O R A N D U M

TO: Files

DATE: September 24, 2020

FROM: Doug Schemm

RE: Applications, File Nos. 50,410 and 50,411

Great Lakes Dredge & Dock Company has filed the above referenced applications proposing to appropriate groundwater for recreational use from wells located in the South Half of Section 17, Township 21 South, Range 15 East, in Coffey County, within the Neosho River Drainage Basin. The marsh project is located immediately below the John Redmond Reservoir dam. The structures retaining the marshes were created during dredging of John Redmond Reservoir to hold the sediment slurry. The initial intent was to allow the sediment to dry out and reclaim it as soil. However, the sediment has not dried out as desired, and now the applicant is proposing to maintain these areas as wildlife marshes. The applications have been signed by a representative of the applicant stating they have access to the points of diversion.

Note that there are three separate marshes as part of this project, and they were permitted under Structure Program File Numbers DCF-0106; DCF-0110; and DCF-0111. The structures were subsequently modified to make them non-jurisdictional for structures permitting. The modifications were all approved on May 21, 2020.

Both files are requesting 320 acre-feet of groundwater per calendar year at a diversion rate not to exceed 800 gallons per minute. The Recreational Use Supplemental sheet states that the total surface area of the marshes is 214 acres. Initial fill of 1.5 feet depth equals 321 acre-feet (214 acres x 1.5 feet). Providing for two fills to offset seepage and evaporation brings the total to 642 acre-feet. Therefore, no limitation is required on the junior application.

The applicant identified one nearby domestic well (Alvin Hess) under File No. 50,411, and a notification letter was sent out on July 31, 2020. Mr. Hess called our office and stated that there were other nearby well owners that should also be notified. Therefore, three additional notification letters were sent out on August 21, 2020. A written letter (e-mail) was received from the nearby well owners expressing concern that pumping the proposed wells would impact their domestic use. Response letters were sent out on September 18, 2020. The nearest domestic well is over 2,500 feet away. This shallow, limited aquifer will not result in any significant drawdown because pumping rates will be physically restricted. In addition, the reservoir would serve as a significant source of recharge to this aquifer, again minimizing drawdown potential. The nearest non-domestic well is over 7,000 feet away, and the application wells are over 3,000 feet apart, so both applications comply with all well spacing criteria. No senior water right will be impaired by approval of these applications.

Based on test hole data from the applicant, bedrock was encountered at a depth of 39 feet, and the source of water would be the overlying unconsolidated sediment. A gravel layer was encountered at a depth of 29 feet and extended to 36 feet. Nearby domestic wells show similar lithology with a gravel layer from 15 to 25 feet, on top of shale bedrock, and shallow static water levels (<10 feet below ground surface). Note that a nearby domestic well owner said that when the reservoir is full, groundwater will flow out of their wells (artesian conditions).

Per K.A.R. 5-3-11, an evaluation of safe yield includes the entire 2-mile area of consideration around the point of diversion within the limits of the unconfined aquifer. It appears that this shallow aquifer extends throughout this entire area of consideration, providing an area of consideration of 8,042 acres. For File No. 50,410, with a recharge of 6 inches, and 75% available for appropriation, this results in a safe yield of 3,015.93 acre-feet. Prior appropriations total 71 acre-feet, leaving 2,944.93 acre-feet available and this file meets safe yield. For File No. 50,411, with a recharge of 6 inches, and 75% available for appropriation, this results in a safe yield of 3,015.93 acre-feet. Prior appropriations total 498.9 acre-feet, leaving 2,517.03 acre-feet available and this file also meets safe yield.

Memorandum
File Nos. 50,410 and 50,411
Page 2

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under these permits, check valves will also need to be installed.

In a September 24, 2020 e-mail, Katie Tietsort, Water Commissioner, Topeka Field Office, recommended approval of the referenced applications. Based on the above discussion, well spacing and safe yield criteria are met, the structures are non-jurisdictional, and approval of the applications will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced applications be approved.

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

Schemm, Doug [KDA]

From: Tietsort, Katie [KDA]
Sent: Thursday, September 24, 2020 9:29 AM
To: Schemm, Doug [KDA]
Subject: RE: Great Lakes Dredging 50410 and 50411

Proceed.

Katie Tietsort
Water Commissioner

Katie.Tietsort@ks.gov

785-296-5733

PLEASE NOTE OUR NEW ADDRESS:

Kansas Department of Agriculture

Topeka Field Office

1131 SW Winding Rd, Suite 400

Topeka, KS 66615

From: Schemm, Doug [KDA] <Doug.Schemm@ks.gov>
Sent: Tuesday, September 22, 2020 9:11 AM
To: Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>
Subject: Great Lakes Dredging 50410 and 50411

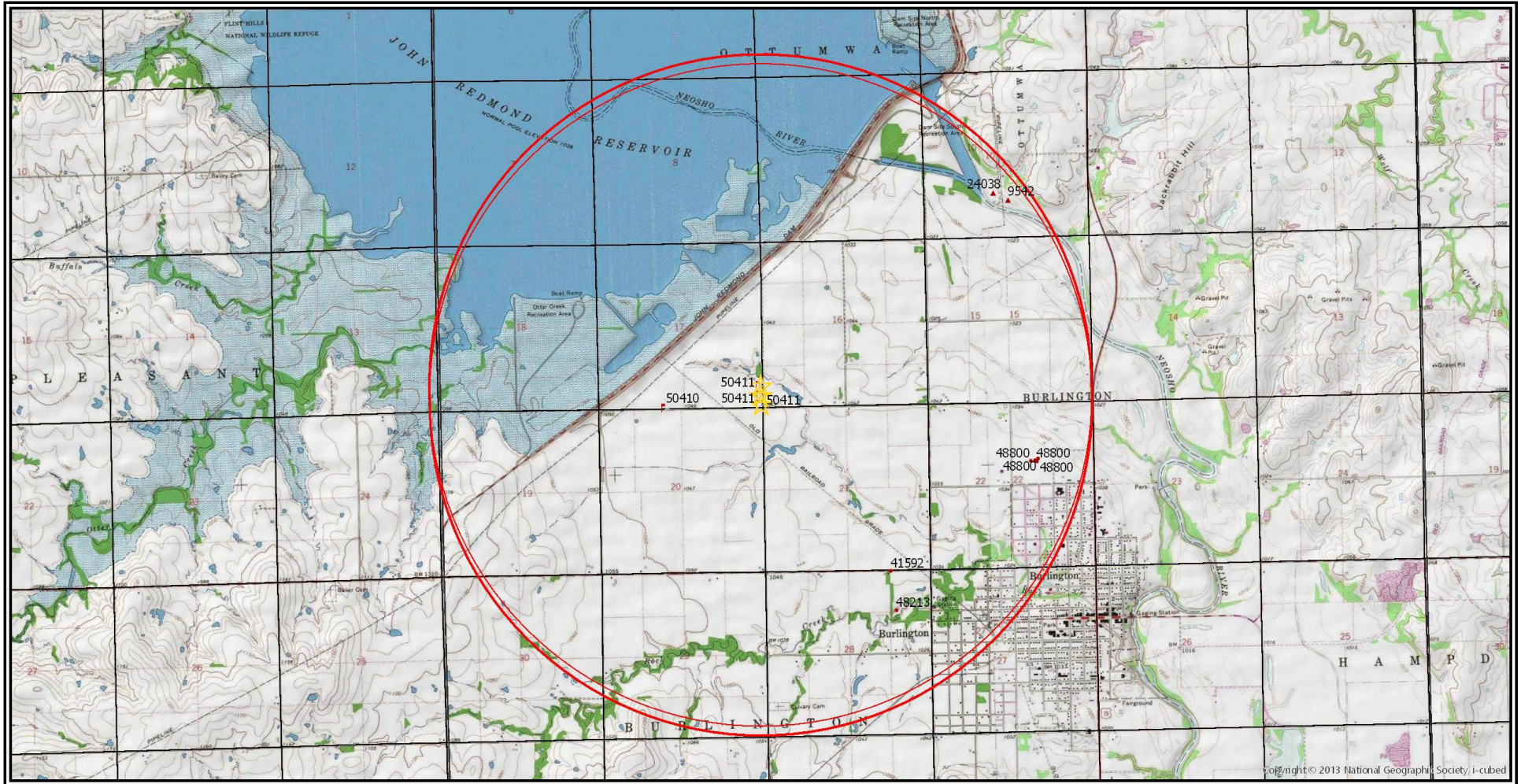
Had a written e-mail from nearby well owner (see Docuware under File No. 50,411). Nearest domestic well is over 2,500 feet away. No impairment will occur.

Both applications meet spacing and safe yield.

Please review,

Doug

Safe Yield Report Sheet
Water Right- A5041100
Point of Diversion in 17-21S-15E
Footages from SE corner- 383 feet North 52 feet West



Analysis Results

The selected PD is in an area OPEN to new appropriations.

The safe yield based on the variables listed below is 3,015.93 AF.

Total prior appropriations in the circle is 818.90 AF. - 320 AF = 498.9 AF

Total quantity of water available for appropriation is ~~2,197.03 AF~~
2,517.03 AF

Application File No. 50,411 - Requesting 320 AF
Meets Safe Yield dws/dwr 9/22/20

Safe Yield Variables

The area used for the analysis is set at 8,042 acres.

The potential annual recharge at the circle center is estimated to be 6.0 inches.

The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 22-SEP-2020 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 7 water rights and 12 points of diversion within the circle.

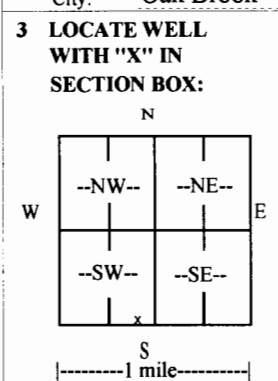
File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth Quant	Add Quant	Tot Acres	Net Acres
A 9542 00	MUN	NK	G		NW	SW	SE	1200	2550	10	21	15E	1	WR	22.40	22.40		
A 24038 00	MUN	NK	G		SE	NE	SW	1350	3050	10	21	15E	3	WR	65.90	43.50 ✓		
A 41592 00	IRR	NK	G		NW	NE	NE	5249	1213	28	21	15E	1	WR	21.00	21.00	50.00	50.00
A 48213 00	IRR	LR	G		NW	SE	NE	3957	1093	28	21	15E	2	WR	50.00	50.00	50.00	0.00
A 48800 00	IRR	LR	G		NE	SW	NE	3432	1830	22	21	15E	1	WR	42.00	42.00	21.00	21.00
Same	IRR	LR	G		NE	SW	NE	3415	1962	22	21	15E	2	WR				
Same	IRR	LR	G		NE	SW	NE	3390	1784	22	21	15E	3	WR				
Same	IRR	LR	G		NE	SW	NE	3492	1744	22	21	15E	4	WR				
A 50410 00	REC	AY	G		SE	SE	SW	40	3100	17	21	15E	1	WR	320.00	320.00		
A 50411 00	REC	AY	G		SE	SE	SE	383	52	17	21	15E	2	WR	-320.00	320.00--		
Same	REC	AY	G		NE	SE	SE	683	52	17	21	15E	3	WR				
Same	REC	AY	G		NE	SE	SE	83	52	17	21	15E	4	WR				

Limitations

File Number	Seq Num	Limitations
A 24038 00	2	21.474MGY COM/W #9,542 22.4 AF + 43.5 AF = 65.9 AF ✓ 65.89 AF

1 LOCATION OF WATER WELL: County: Coffey
 Fraction SW ¼ SE ¼ SE ¼ SW ¼ Section Number 17 Township Number T 21 S Range Number R 15 E W

2 WELL OWNER: Last Name: First: Street or Rural Address where well is located (if unknown, distance and direction from nearest town or intersection): If at owner's address, check here:
 Business: Great Lakes Dredge & Dock Co., LLC Approximately 1.5 miles north and 1.5 miles west of Burlington.
 Address: 2122 York Rd., Suite 200
 Address:
 City: Oak Brook State: IL ZIP: 60523



4 DEPTH OF COMPLETED WELL: 38 ft.
 Depth(s) Groundwater Encountered: 1) _____ ft.
 2) _____ ft. 3) _____ ft., or 4) Dry Well
WELL'S STATIC WATER LEVEL: 0 ft.
 below land surface, measured on (mo-day-yr) 05-17-19
 above land surface, measured on (mo-day-yr)
 Pump test data: Well water was not checked ft.
 after _____ hours pumping _____ gpm
 Well water was _____ ft.
 after _____ hours pumping _____ gpm
 Estimated Yield: _____ gpm
 Bore Hole Diameter: 9 in. to 40 ft. and _____ in. to _____ ft.

5 Latitude: 38.214078 (decimal degrees)
Longitude: -95.785697 (decimal degrees)
 Horizontal Datum: WGS 84 NAD 83 NAD 27
 Source for Latitude/Longitude:
 GPS (unit make/model: _____) (WAAS enabled? Yes No)
 Land Survey Topographic Map
 Online Mapper:
6 Elevation: Unknown _____ ft. Ground Level TOC
 Source: Land Survey GPS Topographic Map
 Other _____

7 WELL WATER TO BE USED AS:

1. Domestic: <input type="checkbox"/> Household <input type="checkbox"/> Lawn & Garden <input type="checkbox"/> Livestock	2. <input type="checkbox"/> Irrigation	3. <input type="checkbox"/> Feedlot	4. <input type="checkbox"/> Industrial	5. <input type="checkbox"/> Public Water Supply: well ID _____	6. <input type="checkbox"/> Dewatering: how many wells? _____	7. <input type="checkbox"/> Aquifer Recharge: well ID _____	8. <input type="checkbox"/> Monitoring: well ID _____	9. Environmental Remediation: well ID _____ <input type="checkbox"/> Air Sparge <input type="checkbox"/> Soil Vapor Extraction <input type="checkbox"/> Recovery <input type="checkbox"/> Injection	10. <input type="checkbox"/> Oil Field Water Supply: lease _____	11. Test Hole: well ID _____ <input type="checkbox"/> Cased <input type="checkbox"/> Uncased <input type="checkbox"/> Geotechnical	12. Geothermal: how many bores? a) Closed Loop <input type="checkbox"/> Horizontal <input type="checkbox"/> Vertical b) Open Loop <input type="checkbox"/> Surface Discharge <input type="checkbox"/> Inj. of Water	13. <input checked="" type="checkbox"/> Other (specify): Test Well
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Was a chemical/bacteriological sample submitted to KDHE? Yes No If yes, date sample was submitted: _____
 Water well disinfected? Yes No

8 TYPE OF CASING USED: Steel PVC CASING JOINTS: Glued Clamped Welded Threaded Other _____
 Casing diameter 5 in. to 26 ft., Diameter _____ in. to _____ ft., Diameter _____ in. to _____ ft.
 Casing height above land surface 24 in. Weight 2.36 lbs./ft. Wall thickness or gauge No. 215
TYPE OF SCREEN OR PERFORATION MATERIAL:
 Steel Stainless Steel Fiberglass PVC Other (Specify) _____
 Brass Galvanized Steel Concrete tile None used (open hole)
SCREEN OR PERFORATION OPENINGS ARE:
 Continuous Slot Mill Slot Gauze Wrapped Torch Cut Drilled Holes Other (Specify) _____
 Louvered Shutter Key Punched Wire Wrapped Saw Cut None (Open Hole)
SCREEN-PERFORATED INTERVALS: From 26 ft. to 36 ft., From _____ ft. to _____ ft., From _____ ft. to _____ ft.
GRAVEL PACK INTERVALS: From 20 ft. to 40 ft., From _____ ft. to _____ ft., From _____ ft. to _____ ft.

9 GROUT MATERIAL: Neat cement Cement grout Bentonite Other _____
 Grout Intervals: From 0 ft. to 20 ft., From _____ ft. to _____ ft., From _____ ft. to _____ ft.
Nearest source of possible contamination:
 Septic Tank Lateral Lines Pit Privy Livestock Pens Insecticide Storage
 Sewer Lines Cess Pool Sewage Lagoon Fuel Storage Abandoned Water Well
 Watertight Sewer Lines Seepage Pit Feedyard Fertilizer Storage Oil Well/Gas Well
 Other (Specify) None Known _____
 Direction from well? _____ Distance from well? _____ ft.

10 FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	4	Topsoil			
4	8	Clay, dark gray, hard			
8	13	Clay, gray, hard			
13	29	Clay, brown, hard			
29	36	Gravel, coarse to fine, with large rock			
36	38	Limestone			
38	40	Shale, gray			
Notes:					

11 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, reconstructed, or plugged under my jurisdiction and was completed on (mo-day-year) 05-17-19 and this record is true to the best of my knowledge and belief.
 Kansas Water Well Contractor's License No. 185 This Water Well Record was completed on (mo-day-year) 05-22-19
 under the business name of Clarke Well & Equipment, Inc. Signature *[Signature]*

Schemm, Doug [KDA]

From: Hemphill, Lloyd [KDA]
Sent: Monday, October 29, 2018 12:06 PM
To: Schemm, Doug [KDA]
Subject: Potential New Apps

Doug,

Don Heller, EBH Engineers, (620) 672-1112 called with questions about a potential project. He was asking whether this was a potentially permissible project.

Ducks Unlimited has a very preliminary proposal to use some of the former sludge disposal ponds used for the John Redmond dredging project as duck marshes/ponds. They are proposing to construct 3 to 4 wells to pump the ponds to a depth of 2 feet and add at least another 1 foot for evaporation. The ponds have a surface area of 30 ac, 70 ac, and 90 ac. so this would be about 570 AF of water.

They have one test hole and found that bedrock was at 39 ft and the source would be unconsolidated material. Don said that the saturated thickness would likely be limited.

I told Don that this would be permissible as long as safe yield and spacing are satisfied. I mentioned that we may look closely at the project due to the limited saturated thickness if there are any nearby wells involved.

He is going to have a meeting to gather more details. You don't need to call him back unless you think I left anything out. He may talk to one of us if they go further with the project.

Lloyd

Lloyd Hemphill, Environmental Scientist
Kansas Department of Agriculture
Division of Water Resources, Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, KS 66619
(785) 296-5733
Please note my new email address: Lloyd.Hemphill@ks.gov

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Christopher W. Beightel, Acting Chief Engineer

**APPROVAL OF APPLICATION
and
PERMIT TO PROCEED**

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 50,411** of the applicant

**GREAT LAKES DREDGE & DOCK COMPANY
2122 YORK ROAD
OAK BROOK IL 60523**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **July 15, 2020**.
2. That the water sought to be appropriated shall be used for recreational use in wildlife marshes located in the Northwest Quarter (NW $\frac{1}{4}$) of Section 16, and the South Half (S $\frac{1}{2}$) of Section 17, all in Township 21 South, Range 15 East, Coffey County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of two (2) wells with a geographic center located in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 17, more particularly described as being near a point 383 feet North and 52 feet West of the Southeast corner of said section, in Township 21 South, Range 15 East, Coffey County, Kansas, located substantially as shown on the map accompanying the application.
4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **800 gallons per minute (1.78 c.f.s.)** and to a quantity not to exceed **320 acre-feet** of water for any calendar year.
5. That installation of works for diversion of water shall be completed on or before **December 31, 2021** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2025** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

13. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

14. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

October 29, 2020

GREAT LAKES DREDGE & DOCK COMPANY
2122 YORK ROAD
OAK BROOK IL 60523

RE: Appropriation of Water, File Nos. 50,410 and 50,411

Dear Sir or Madam:

Enclosed are permits authorizing you to proceed with construction of the proposed diversion works and to appropriate water for beneficial use as set forth in these permits. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in these permits.

Notices must be filed on the enclosed forms once the diversion works have been completed. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of these permits. If you need an extension of time, you must request it before the deadline for completion set forth in the permits. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00 per file number.

Acceptable water flowmeters must be installed on the diversion works authorized by these permits prior to using water. Annual water use reports must be filed with the Chief Engineer by March 1, following the end of each calendar year. If complete annual water use reports are not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your reports online at www.kswaterusereport.org.

The approvals of your applications constitute permits to appropriate water. It does not give authority to construct any dam or other stream obstruction regulated by K.S.A. 82a-301 through 305a. It does not give authority to access any right-of-way or authorize trespassing upon or injury to public or private property. It may also be necessary for you to comply with other local, state or federal requirements.

Enclosed is an informational sheet that sets forth the procedure to obtain Certificates of Appropriation which will establish the extent of your perfected water rights. Additional information and applicable forms may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any questions or need assistance with any of these requirements, please contact our office at 785-564-6640 or your local Topeka Field Office at 785-296-5733. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum
New Application Unit Supervisor
Division of Water Resources

KAB:dws
Enclosure(s)

pc: Topeka Field Office

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary. To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

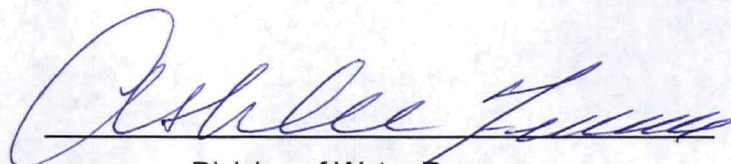
CERTIFICATE OF SERVICE

On this 29 day of October, 2020, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,411, dated 22 October, 2020, was mailed postage prepaid, first class, US mail to the following:

GREAT LAKES DREDGE & DOCK COMPANY
2122 YORK ROAD
OAK BROOK IL 60523

With photocopies to:

Topeka Field Office



Division of Water Resources