

File No. **50713** 15. Formation Code: Drainage Basin: **Little Blue River** County: **WS** Special Use: Stream: **Coon Creek Trib 1A**

16. Points of Diversion										17. Rate and Quantity					
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized		Additional		Overlap PD Files
											Rate gpm	Quantity af	Rate gpm	Quantity af	
CHK	89268	SE NE NE	36	4S	3E	1	4260	430			1200	586	1200	0	none
586															
STRUCTURE PERMIT DWS-0131															

18. Storage: Rate **NF** NF Quantity **586** ac/ft Additional Rate **NF** NF Additional Quantity **586** ac/ft

19. Limitation: _____ af/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? **x Yes** No To be installed by: **12/31/2024** Date Acceptable Meter Installed _____

21. Place of Use							NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files		
MOD	DEL	ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼					
CHK	70709	36	4S	3E	1				37	37		40	23	40	40	40	40								297	7a	no	none
CHK	70710	36	4S	3E	2												40	40	40	40				160	7b	no	none	
MOD	70711	1	5S	3E	1			L 2	L2	L1	L1													154	7a	no	none	

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: March 16, 2023

FROM: Kris Neuhauser

RE: Application, File No. 50,713

Meyer Family Land LLC has filed the above-referenced application requesting to appropriate 586 acre-feet of surface water for irrigation use from Coon Creek Trib 1A, by way of natural flows. The water is to be stored and re-diverted at a maximum rate of 1,200 gallons per minute. The dam and pumpsite will be located in the Northeast Quarter of Section 36, Township 4 South, Range 3 East, Washington County, Kansas. The application has been signed by applicant, stating he has access to the point of diversion.

The irrigated place of use will consist of 611 total acres throughout Sections 1 and 36, both in Township 4 South, Range 3 East, Washington County, Kansas. Meyer Family Land LLC as well as Benjamin and Gregory Meyer own the place of use.

The requested quantity of water under this application (586 acre-feet) was calculated as follows:

Pond Surface area: 34.7 acres; Pond capacity: 202.7 AF
Potential net evap: 17 inches = 1.42 ft x 34.7 acres = 49.3 AF

Irrigated acres: 611 acres
Max reasonable quantity for irrigation in Washington County: 1.2 AF/acre
611 acres x 1.2 AF/acre = 733 AF

Storage:
1-year direction irrigation use: 733 AF
1-year evap: 49.3 AF
Storage Capacity: 202.7 AF
Total: 733 + 49.3 + 202.7 = 985 AF

Potential Runoff:
Normal precip: 30 inches
Drainage area: 843 acres
Soil Complex Number: 76
Potential Runoff (20% chance): 586 AF

Quantity is limited to 586 AF by potential runoff of basin

The closest surface water right is roughly 1.6 miles North, located on Coon Creek Tributary 1, authorized by Water Right, File No. 23,227. The approval of this application should not impact any senior water users. Four landowners were identified as being within ½ mile upstream and downstream of the applicant's land. Nearby notification letters outlining the proposed application were mailed on December 6, 2022. No responses of any kind have been received to date.

A water structures permit is required for the earthen dam involved with this project. Permit No. DWS-0131 was approved on July 12, 2022. Janelle Phillips, Stream Obstruction Team Lead, Water Structures Program, provided a pdf copy of the approved permit and plans. Both will be attached to water appropriation approval documents in Docuware.

The applicant has submitted a signed Minimum Desirable Streamflow form, which has been properly notarized. By completing this statement, the applicant affirms his/her knowledge that there could be times when the diversion of water may not be allowed under this permit.

Based on the above discussion, the area is open to new applications and there is no indication that the proposed beneficial use of water will impair existing water rights. Therefore, it is recommended that the referenced application be approved.

A handwritten signature in black ink, appearing to read "Kris Neuhauser", with a long horizontal flourish extending to the right.

Kris Neuhauser
New Applications Lead
Water Appropriation Program

REVISION 1
 MADE REVISIONS TO SHEETS 2, 6 AND 11

MEYER FAMILY LAND, LLC

IRRIGATION WATER SUPPLY DAM NE 1/4 SECTION 36 T4S R3E WASHINGTON COUNTY, KANSAS

Note:

the Contractor shall submit construction schedules in a timely manner such that the Contracting Officer may notify the Kansas Department of Agriculture, Division of Water Resources of the status of construction forty-eight hours in advance to allow inspection as required by K.A.R. 5-40-70.

The Contracting Officer shall provide the Kansas Department of Agriculture, Division of Water Resources, in writing the name, address and telephone number of the Project Engineer responsible for construction observation as required by K.A.R. 5-40-71.

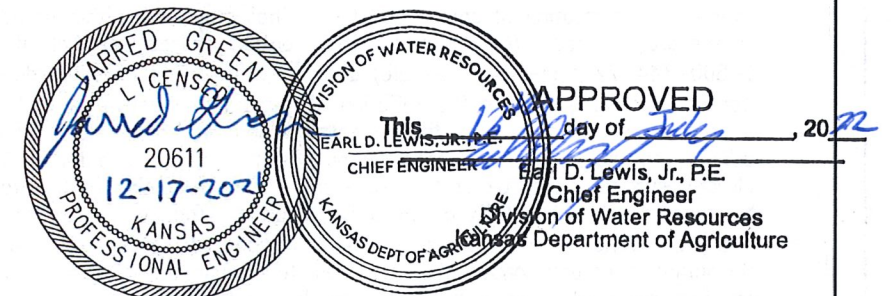
INDEX

<u>SHEET NO.</u>	<u>DESCRIPTION</u>
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2	GENERAL INFORMATION
3	STRUCTURE DATA SHEET
4	AERIAL PHOTOGRAPH OF PROJECT AREA
5	SITE PLAN
6	EXISTING TOPOGRAPHY
7	PROFILE OF DAM ALIGNMENT
8	EARTHFILL REQUIREMENTS
9	PROFILE OF AUXILIARY SPILLWAY
10	PROFILE OF PRIMARY SPILLWAY
11	DRAINAGE DIAPHRAGM DETAILS
12	RISER DETAILS
13	RISER DETAILS
14	DRAWDOWN AND RISER INLET PROTECTION DETAILS
15	TRASH RACK
16	CONCRETE PIPE SUPPORT
17	SEEDING PLAN



1700 E. IRON SALINA, KANSAS 67401
 1303 YUCCA STREET SCOTT CITY, KANSAS 67871
 (785) 823-0097

DWS-0131



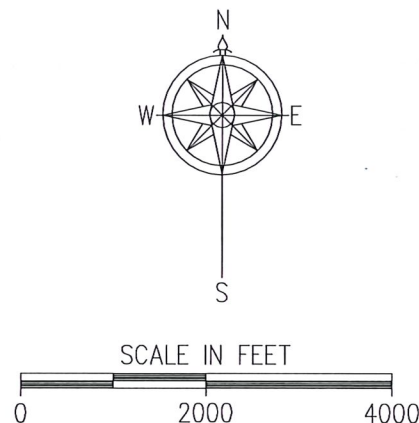
JARRED D. GREEN, P.E.

TABLE OF QUANTITIES

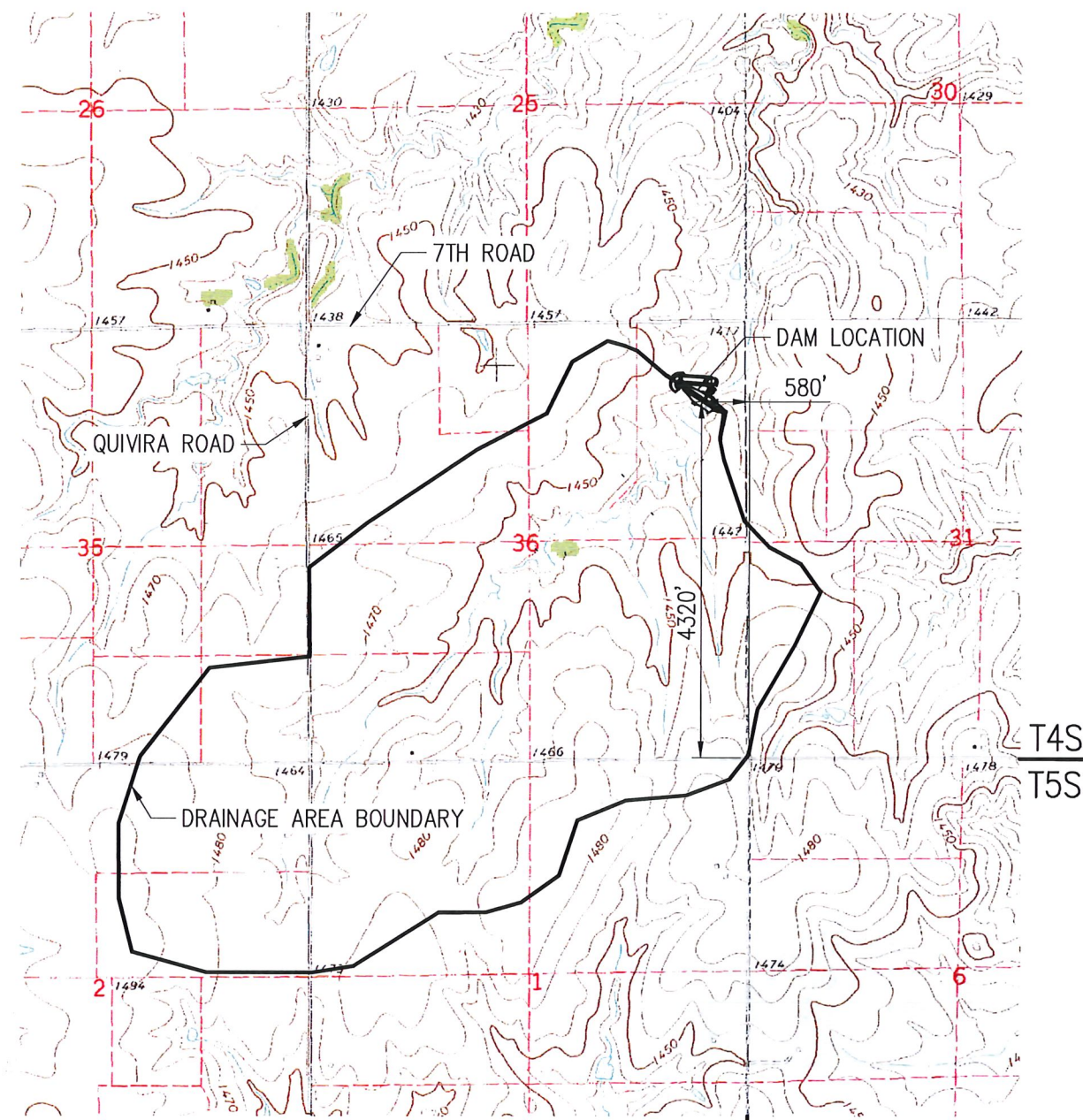
ITEM	UNIT	QUANTITY	INSTALLED QUANTITY
MOBILIZATION AND DEMOBILIZATION	JOB		
CLEARING	JOB		
CLEARING AND GRUBBING	JOB		
POLLUTION CONTROL	JOB		
EXCAVATION			
STRIPPING	CUBIC YARD	4,879	
AUXILIARY SPILLWAY AND STILLING BASIN	CUBIC YARD	2,184	
AUXILIARY SPILLWAY UNDERCUTTING FOR TOPSOIL	CUBIC YARD	655	
CUTOFF TRENCH	CUBIC YARD	5,610	
EARTHFILL			
EMBANKMENT ZONE 1 AND AUXILIARY SPILLWAY	CUBIC YARD	31,774	
CUTOFF TRENCH	CUBIC YARD	5,610	
SALVAGING AND SPREADING TOPSOIL	CUBIC YARD	3,175	
HAND COMPACTED	CUBIC YARD	80	
DRAINAGE DIAPHRAGM			
DRAINFILL	TONS	25	
4-INCH DIAMETER, SCHEDULE 40 PVC SOLID PIPE	LINEAR FEET	65	
4-INCH DIAMETER, SCHEDULE 40 PVC NO. 32 SLOTTED PIPE	LINEAR FEET	8	
6-INCH DIAMETER, HELICAL CORRUGATED METAL PIPE	LINEAR FEET	16	
ANIMAL GUARD	EACH	1	
PRINCIPAL SPILLWAY			
48-INCH DIAMETER TRASH RACK	EACH	1	
48-INCH DIAMETER PREFABRICATED RISER	EACH	1	
16-INCH DIAMETER, PVC DR 18 C900 PIPE BARREL	LINEAR FEET	132	
REINFORCED CONCRETE INLET PROTECTION	EACH	1	
REINFORCED CONCRETE PIPE SUPPORT	EACH	1	
DRAWDOWN			
INTAKE STRUCTURE	EACH	1	
8-INCH DIAMETER, SCHEDULE 40 PVC PIPE	LINEAR FEET	45	
8-INCH DIAMETER, DUCTILE IRON PIPE	LINEAR FEET	6	
8-INCH DIAMETER GATE VALVE	EACH	1	
STILLING BASIN			
ROCK RIPRAP	CUBIC YARD	40	
GEOTEXTILE BEDDING	SQUARE YARD	40	
WATER	M. GAL.	100	
SEEDING	ACRES	3.9	

Warning:

Utilities may be present in and around the construction area of this project. These may include underground and/or overhead utilities operated by public or private entities or by individuals. Utility locations may appear on these construction drawings. This information, however, is not intended to imply the exact type or location of any or all utilities that may exist within or adjacent to the project area. The Contractor shall contact Kansas One-Call at 1-800-344-7233 (1-800-Dig-Safe) at least two working days (as defined by Kansas One-Call), prior to the initiation of construction activities, to have utilities within or adjacent to the project area located and marked. If existing utilities may be impacted by construction activities, the Contractor shall work directly with the utility owner to resolve any issues pertaining to the work to be performed in the vicinity of the utility location. The Contractor shall also notify the Owner of this project or his/her designated representative, prior to the initiation of any construction activities, to discuss the location of utilities or other potential hazards that may exist in the project area.



REV.	DATE	BY	DESCRIPTION	CHECK	APPROVE
1	5/22	JRC	DIMENSIONED DAM LOCATION TO SOUTHEAST CORNER	JDG	JDG



DRAINAGE AREA MAP
DRAINAGE AREA = 843 ACRES OR 1.32 SQUARE MILES

APPROVED
Earl D. Lewis, Jr., P.E.

DAM LOCATION

LATITUDE 39° 39' 55" N LONGITUDE 97° 01' 58" W
OR 4320' NORTH AND 580' WEST OF SE CORNER OF SECTION 36 T4S R3E

APPROXIMATE LOCATION OF THE MEYER IRRIGATION DAM IS 3 MILES EAST AND ½ MILE SOUTH OF LINN, KANSAS IN WASHINGTON COUNTY, KANSAS

Chief Engineer, Division of Water Resources
Kansas Department of Agriculture

JUL 12 2022

DRAWN	DATE	10/21
CHECKED	DATE	10/21
APPROVED	DATE	12/21

MEYER FAMILY LAND, LLC
IRRIGATION WATER SUPPLY DAM
NE 1/4 SECTION 36 T4S R3E
WASHINGTON COUNTY, KANSAS

1700 E. IRON
SALINA, KANSAS 67401
(785) 823-0097
1303 YUCCA STREET
SCOTT CITY, KANSAS 67871
(620) 872-2300



CAD FILE NAME:
PLAN VIEW.DWG

GENERAL INFORMATION

STRUCTURE DATA SHEET

HAZARD CLASSIFICATION LOW (a)

DRAINAGE AREA 843 ACRES
1.32 SQ.MI.

TIME OF CONCENTRATION

NRCS - WATERSHED LAG METHOD 2.38 HOURS

SOIL COVER COMPLEX NUMBER

AMC II 80
AMC III 91

IRRIGATION/SEDIMENT CAPACITY AVAILABLE

SUBMERGED CAPACITY 202.7 AC-FT
CAPACITY EQUIVALENTS 2.89 INCH

DETENTION CAPACITY AVAILABLE

TOTAL CAPACITY 143.1 AC-FT
CAPACITY EQUIVALENTS 2.04 INCHES

SURCHARGE CAPACITY AVAILABLE

TOTAL CAPACITY 359.2 AC-FT
CAPACITY EQUIVALENTS 5.11 INCHES

PRINCIPAL SPILLWAY CAPACITY AVAILABLE

AUXILIARY SPILLWAY CREST 30.5 CFS

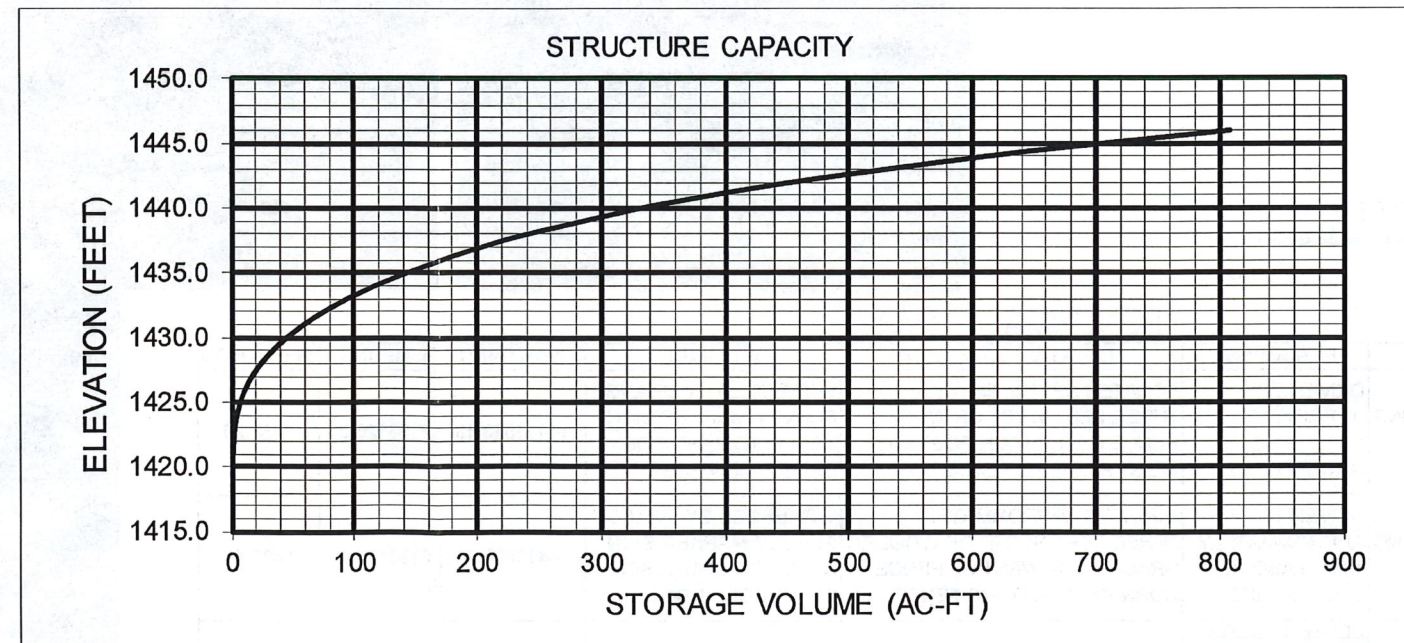
AUXILIARY SPILLWAY DESIGN

DESIGN STORM 1%, 6-HR
RAINFALL 5.40 INCHES
RUNOFF 4.37 INCHES
PEAK INFLOW 1140.9 CFS
MAXIMUM DISCHARGE 236.8 CFS
MAXIMUM WATER SURFACE ELEV. 1442.0 FEET
MAXIMUM VELOCITY 4.9 FPS
PERCENT CHANCE OF USE 50 %
SPILLWAY TYPE VEGETATED
MANNING'S N VALUE USED 0.049

STRUCTURE CAPACITY TABLE

ELEVATION (FEET)	AREA (ACRES)	VOLUME (AC-FT)	ACCUM. VOLUME (AC-FT)	PRINCIPAL SPILLWAY OUTFLOW (CFS)	TOTAL OUTFLOW (CFS)
1418.0	0.0	0.0	0.0	0.0	0.0
1420.0	0.1	0.1	0.1	0.0	0.0
1422.0	0.5	0.6	0.7	0.0	0.0
1424.0	2.1	2.6	3.3	0.0	0.0
1426.0	4.8	6.9	10.2	0.0	0.0
1428.0	8.4	13.1	23.3	0.0	0.0
1430.0	12.6	20.9	44.3	0.0	0.0
1432.0	17.4	30.0	74.2	0.0	0.0
1434.0	23.8	41.3	115.5	0.0	0.0
1436.0	30.6	54.5	170.0	0.0	0.0
1437.0	34.7	32.7	202.7	0.0	0.0
1438.0	38.7	36.7	239.4	28.9	28.9
1440.0	51.8	90.6	329.9	30.3	30.3
1440.3	54.6	15.9	345.8	30.5	30.5
1442.0	70.1	106.0	451.8	31.7	235.1
1444.0	89.1	159.2	611.0	33.0	1197.7
1445.0	98.9	94.0	705.0	33.7	1840.3
1446.0	108.7	103.8	808.8	34.3	2579.3

PRIMARY SPILLWAY
AUXILIARY SPILLWAY CREST
TOP OF DAM



APPROVED
Earl D. Lewis, Jr., P.E.

JUL 12 2022

Chief Engineer, Division of Water Resources
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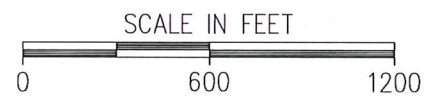
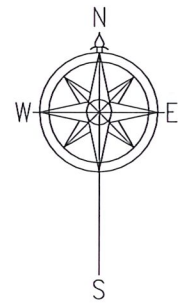
SHEET NO. 3 OF 17

LANDOWNER TABLE

# ON MAP	OWNER	LEGAL DESCRIPTION	MAILING ADDRESS
1	MEYER FAMILY LAND LLC	N 1/2 LESS 15.9 ACRES SEC. 36 T4S R3E	1122 7TH ROAD LINN, KS 66953
2	MEYER FAMILY LAND LLC	N 1/2 SW 1/4 SEC. 36 T4S R3E	1122 7TH ROAD LINN, KS 66953
3	BENJAMIN MEYER	SE 1/4 SEC. 36 T4S R3E	1122 NATIONAL ROAD WASHINGTON, KS 66968
4	JEFF J. KLEWEIN REV. TRUST	15.9 ACRES IN NW 1/4 SEC. 36 T4S R3E	5845 JARACARANDA DRIVE MABLETON, GA 301126

LEGEND

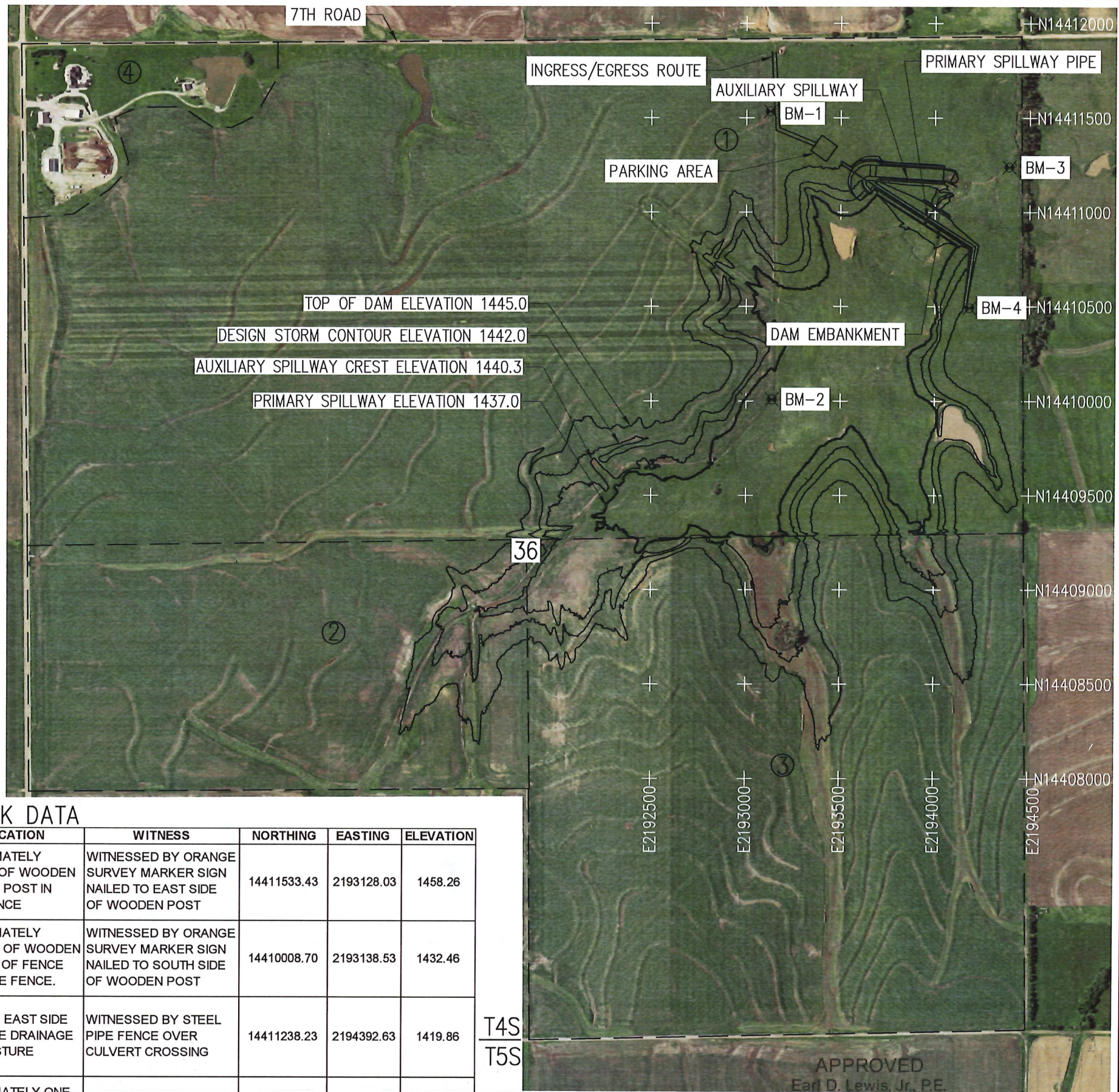
- BENCHMARKS BM-1
- APPROXIMATE OWNERSHIP BOUNDARY
- LANDOWNER TRACT ID



BENCHMARK DATA

NAME	MATERIAL	PLACEMENT	RELATIVE LOCATION	WITNESS	NORTHING	EASTING	ELEVATION
BM-1	3-FOOT LONG 1/2-INCH DIAMETER STEEL REINFORCING BAR WITH AN ORANGE CAP STAMPED "CONTROL POINT"	DRIVEN TO APPROXIMATELY 1-INCH ABOVE GROUND LINE	LOCATED APPROXIMATELY THREE FEET WEST OF WOODEN FENCE GATE LATCH POST IN WEST PASTURE FENCE	WITNESSED BY ORANGE SURVEY MARKER SIGN NAILED TO EAST SIDE OF WOODEN POST	14411533.43	2193128.03	1458.26
BM-2	3-FOOT LONG 1/2-INCH DIAMETER STEEL REINFORCING BAR WITH AN ORANGE CAP STAMPED "CONTROL POINT"	DRIVEN TO APPROXIMATELY 1-INCH ABOVE GROUND LINE	LOCATED APPROXIMATELY THREE FEET NORTH OF WOODEN BRACE POST WEST OF FENCE CORNER IN PASTURE FENCE.	WITNESSED BY ORANGE SURVEY MARKER SIGN NAILED TO SOUTH SIDE OF WOODEN POST	14410008.70	2193138.53	1432.46
BM-3	TOP OF APPROXIMATELY 6 FEET DIAMETER STEEL CULVERT	CENTER PUNCH MARK ON TOP CENTER OF CULVERT INLET BETWEEN RIVETS	LOCATED NEAR THE EAST SIDE OF PASTURE WHERE DRAINAGE CHANNEL EXITS PASTURE	WITNESSED BY STEEL PIPE FENCE OVER CULVERT CROSSING	14411238.23	2194392.63	1419.86
BM-4 (BASE POINT)	3-FOOT LONG 1/2-INCH DIAMETER STEEL REINFORCING BAR WITH AN ORANGE CAP STAMPED "CONTROL POINT"	DRIVEN TO APPROXIMATELY 1-INCH ABOVE GROUND LINE	LOCATED APPROXIMATELY ONE FOOT SOUTH OF STEEL LADDER ON SOUTH SIDE OF HUNTING PLATFORM IN FENCED IN AREA	WITNESSED BY STEEL LADDER FOR HUNTING PLATFORM	14410492.86	2194185.35	1445.04

HORIZONTAL COORDINATE REFERENCE = NAD83 UTM ZONE 14 US FEET VERTICAL COORDINATES = NAVD88 US FEET (GEOID 18)



APPROVED
Earl D. Lewis, Jr., P.E.
JUL 12 2022

AERIAL PHOTOGRAPH OF PROJECT AREA

DRAWN	JRC	DATE	10/21
CHECKED	JDG	DATE	10/21
APPROVED	JDG	DATE	12/21

MEYER FAMILY LAND, LLC
IRRIGATION WATER SUPPLY DAM
NE 1/4 SECTION 36 T4S R3E
WASHINGTON COUNTY, KANSAS

1700 E. IRON
SALINA, KANSAS 67401
(785) 823-0097
1303 YUCCA STREET
SCOTT CITY, KANSAS 67871
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LEGEND

INDEX CONTOURS ——— 1440

SPECIAL CONTOURS ———

CONTOURS - - - - -

SPOT ELEVATION X ELEV. 1436.5

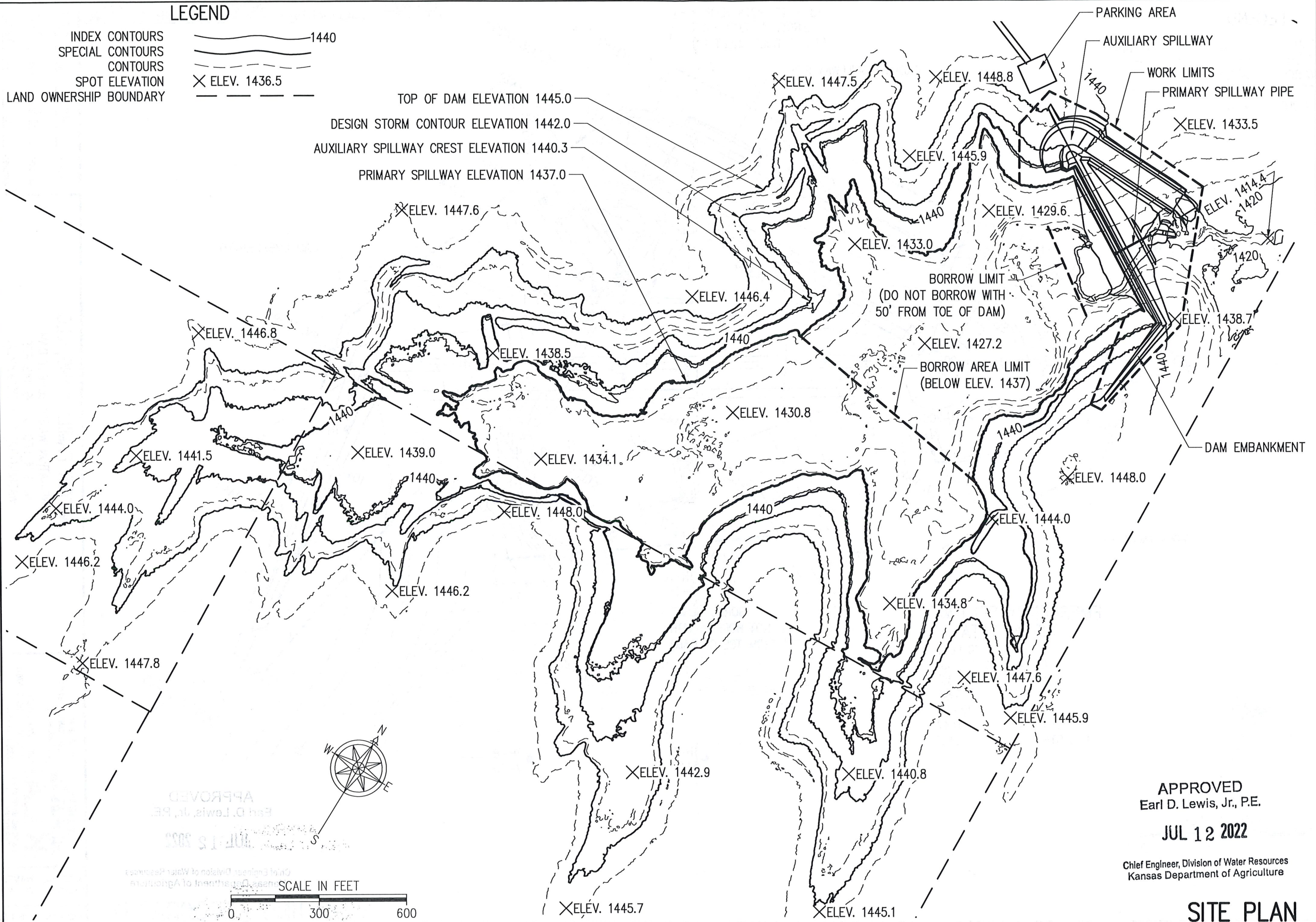
LAND OWNERSHIP BOUNDARY - - - - -

TOP OF DAM ELEVATION 1445.0

DESIGN STORM CONTOUR ELEVATION 1442.0

AUXILIARY SPILLWAY CREST ELEVATION 1440.3

PRIMARY SPILLWAY ELEVATION 1437.0



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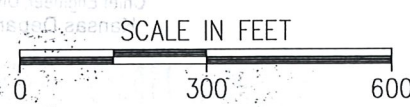
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APPROVED
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 JUL 12 2022
 Chief Engineer, Division of Water Resources
 Kansas Department of Agriculture

APPROVED
 EARL D. LEWIS, JR., P.E.
 JUL 12 2022
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SITE PLAN

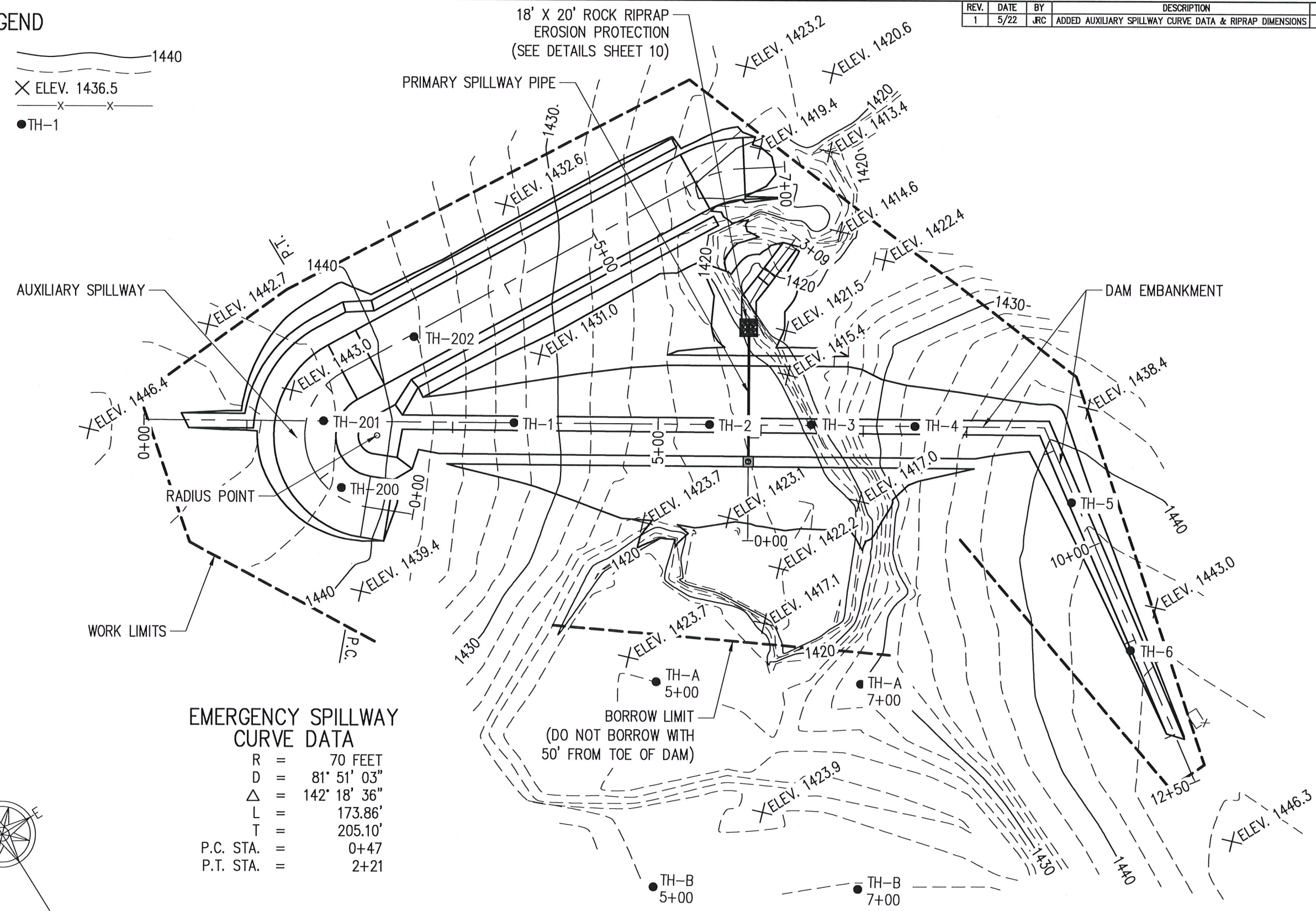
SHEET NO. 5 OF 17

REV.	DATE	BY	DESCRIPTION	CHECK	APPROVE
1	5/22	JRC	ADDED AUXILIARY SPILLWAY CURVE DATA & RIPRAP DIMENSIONS	JDG	JDG

LEGEND

- INDEX CONTOURS 1440
- CONTOURS
- SPOT ELEVATION ELEV. 1436.5
- EXISTING FENCE
- TEST HOLE TH-1

DRAWN	CHECKED	APPROVED	DATE	DATE	DATE
JRC	JDG	JDG	10/21	10/21	12/21



EMERGENCY SPILLWAY CURVE DATA

- R = 70 FEET
- D = 81' 51' 03"
- Δ = 142' 18' 36"
- L = 173.86'
- T = 205.10'
- P.C. STA. = 0+47
- P.T. STA. = 2+21



SCALE IN FEET



APPROVED
Earl D. Lewis, Jr., P.E.

JUL 12 2022

Chief Engineer, Division of Water Resources
Kansas Department of Agriculture

EXISTING TOPOGRAPHY

MEYER FAMILY LAND, LLC
IRRIGATION WATER SUPPLY DAM
NE 1/4 SECTION 36 T4S R3E
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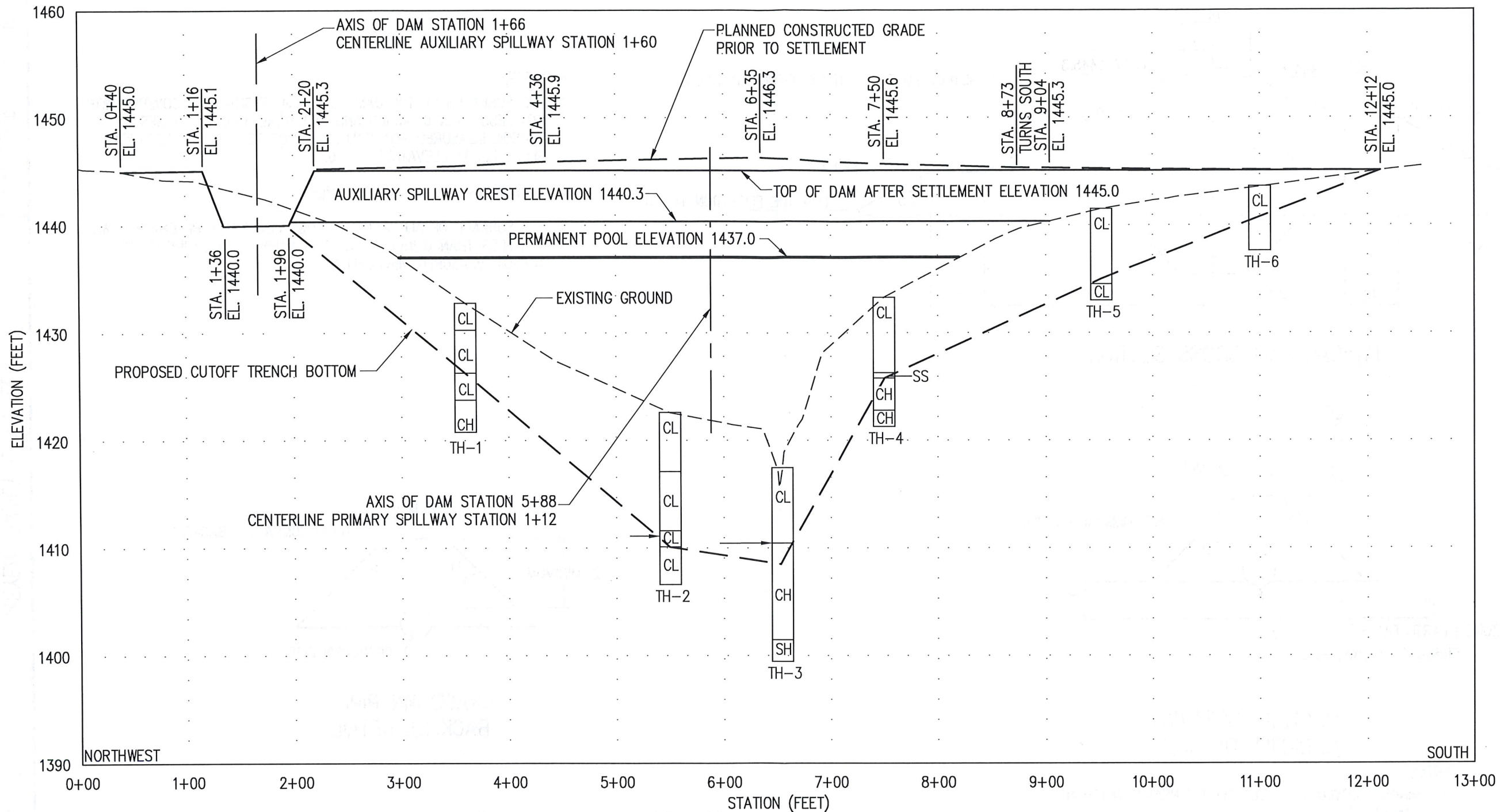


TABLE OF CUTOFF TRENCH GRADES

STATION (FEET)	ELEVATION (FEET)	AS-BUILT ELEVATION (FEET)
1+96	1439.0	
3+60	1426.2	
5+50	1410.1	
6+44	1408.5	
7+50	1425.8	
8+73	1431.2	
9+50	1435.0	
11+00	1440.8	
12+12	1444.0	

GENERAL NOTES:

- BORROW MATERIAL TO BE OBTAINED FROM REQUIRED EXCAVATIONS AND FROM APPROXIMATE AREA OUTLINED ON TOPOGRAPHIC MAP.
- SOIL EXPLORATION DATE: SEPTEMBER, 3 2021
- INDICATES GROUNDWATER LEVEL ON DATE OF EXPLORATION. FLUCTUATION IS EXPECTED.
- THE UNIFIED SOIL CLASSIFICATION SYMBOLS FOLLOWED BY A CROSS ARE BASED ON LABORATORY TESTS.
- CLEAR AND GRUB AREA OCCUPIED BY AND APPROXIMATELY 20 FEET BEYOND THE EMBANKMENT, OUTLET CHANNEL, AND AUXILIARY SPILLWAY.
- CLEAR AND GRUB THE BORROW PITS.
- CLEAR THE RESERVOIR, EXCLUSIVE OF THE BORROW PITS, BELOW ELEVATION 1437.0

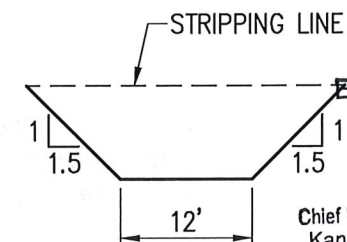
PROFILE VIEW OF DAM ALIGNMENT

UNIFIED SOIL CLASSIFICATION SYMBOLS

- CL CLAYS OF LOW TO MEDIUM PLASTICITY; SILTY, SANDY OR GRAVELLY CLAYS
- CH INORGANIC CLAYS OF HIGH PLASTICITY; FAT CLAYS

ABBREVIATIONS

- SH SHALE
- SS SANDSTONE



CUTOFF TRENCH TYPICAL CROSS SECTION

PROFILE OF DAM ALIGNMENT

APPROVED
Earl D. Lewis, Jr., P.E.
JUL 12 2022

Chief Engineer, Division of Water Resources
Kansas Department of Agriculture

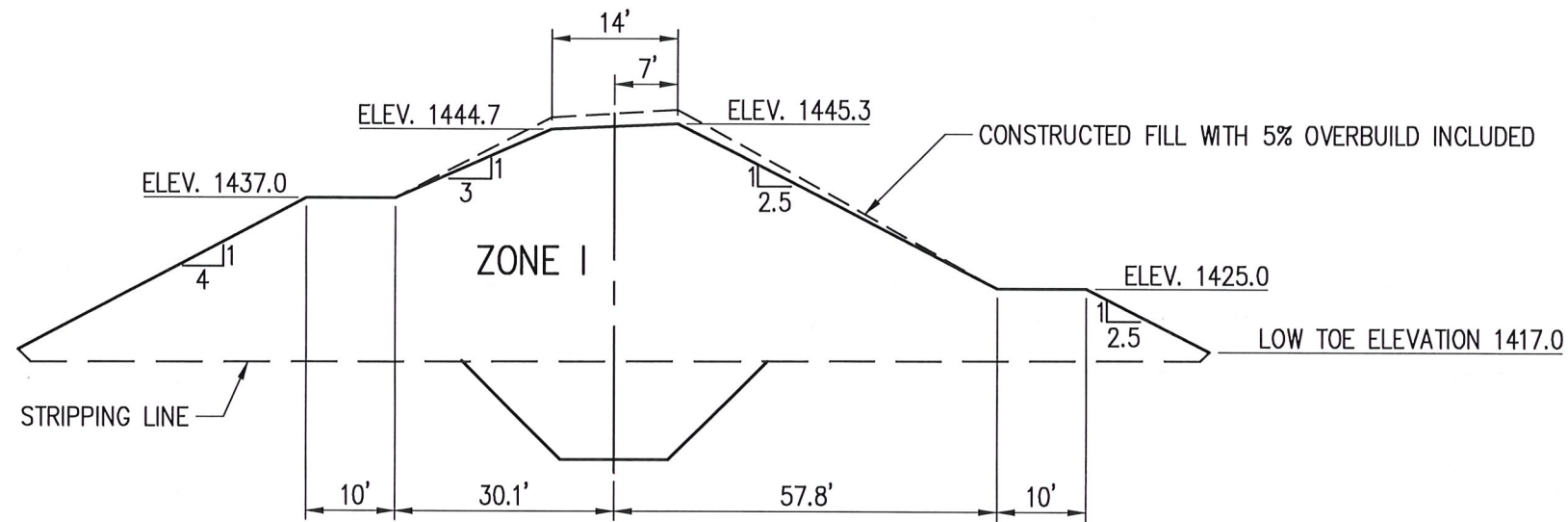
MEYER FAMILY LAND, LLC
IRRIGATION WATER SUPPLY DAM
NE 1/4 SECTION 36 T4S R3E
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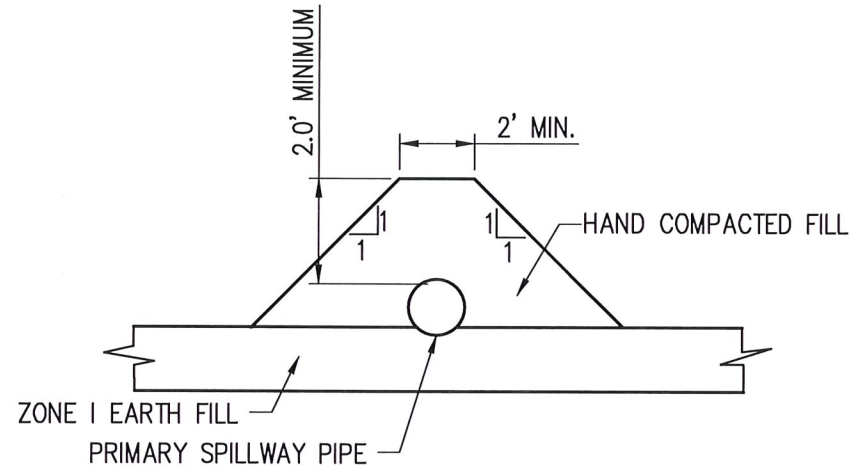
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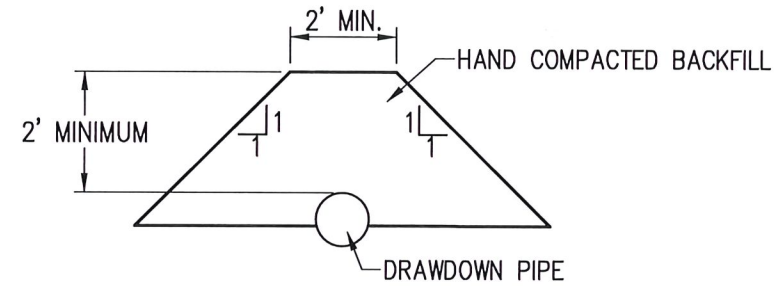
TYPICAL DAM CROSS SECTION



PRINCIPAL SPILLWAY BACKFILL DETAILS

NOTE:

1. MINIMUM COVER IS 2 FEET BEFORE HEAVY EQUIPMENT CAN CROSS.



DRAWDOWN PIPE BACKFILL DETAIL

DRAWDOWN BACKFILL DETAIL

EMBANKMENT REQUIREMENTS

EMBANKMENT ZONE	SOURCE AND TYPE OF MATERIAL		PLACEMENT AND MOISTURE DENSITY REQUIREMENTS						
	SOURCE	DESCRIPTION AND GRADING	UNIFIED CLASSIFICATION	DEPTH OF LIFT	MAXIMUM SIZE ROCK FRAGMENTS	COMPACTION CLASS	REFERENCE TEST	REQUIRED COMPACTION	ALLOWABLE MOISTURE RANGE FROM OPTIMUM (%)
I	BORROW AND EXCAVATIONS	PLASTIC, OR SOIL WITH PLASTIC FINES.	CL	9"	6"	C	METHOD	SEE CONSTRUCTION SPECIFICATIONS	SEE CONSTRUCTION SPECIFICATIONS

NOTES:

1. THE SURFACES OF THE DAM EMBANKMENT SHALL BE COVERED WITH NOT LESS THAN 6 INCHES AND NOT MORE THAN 12 INCHES OF TOPSOIL MEASURED VERTICALLY. DO NOT TOPSOIL THE UPSTREAM SLOPE BELOW ELEVATION 1437.0.
2. ELEVATIONS ARE AFTER SETTLEMENT.
3. THE SURFACE OF ALL MISCELLANEOUS FILL SHALL BE COVERED WITH NOT LESS THAN 6 INCHES AND NOT MORE THAN 12 INCHES OF TOPSOIL MEASURED VERTICALLY.

DRAWN	JRC	DATE	10/21
CHECKED	JDG	DATE	10/21
APPROVED	JDG	DATE	12/21

MEYER FAMILY LAND, LLC
 IRRIGATION WATER SUPPLY DAM
 NE 1/4 SECTION 36 T4S R3E
 WASHINGTON COUNTY, KANSAS

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 SALINA, KANSAS 67401
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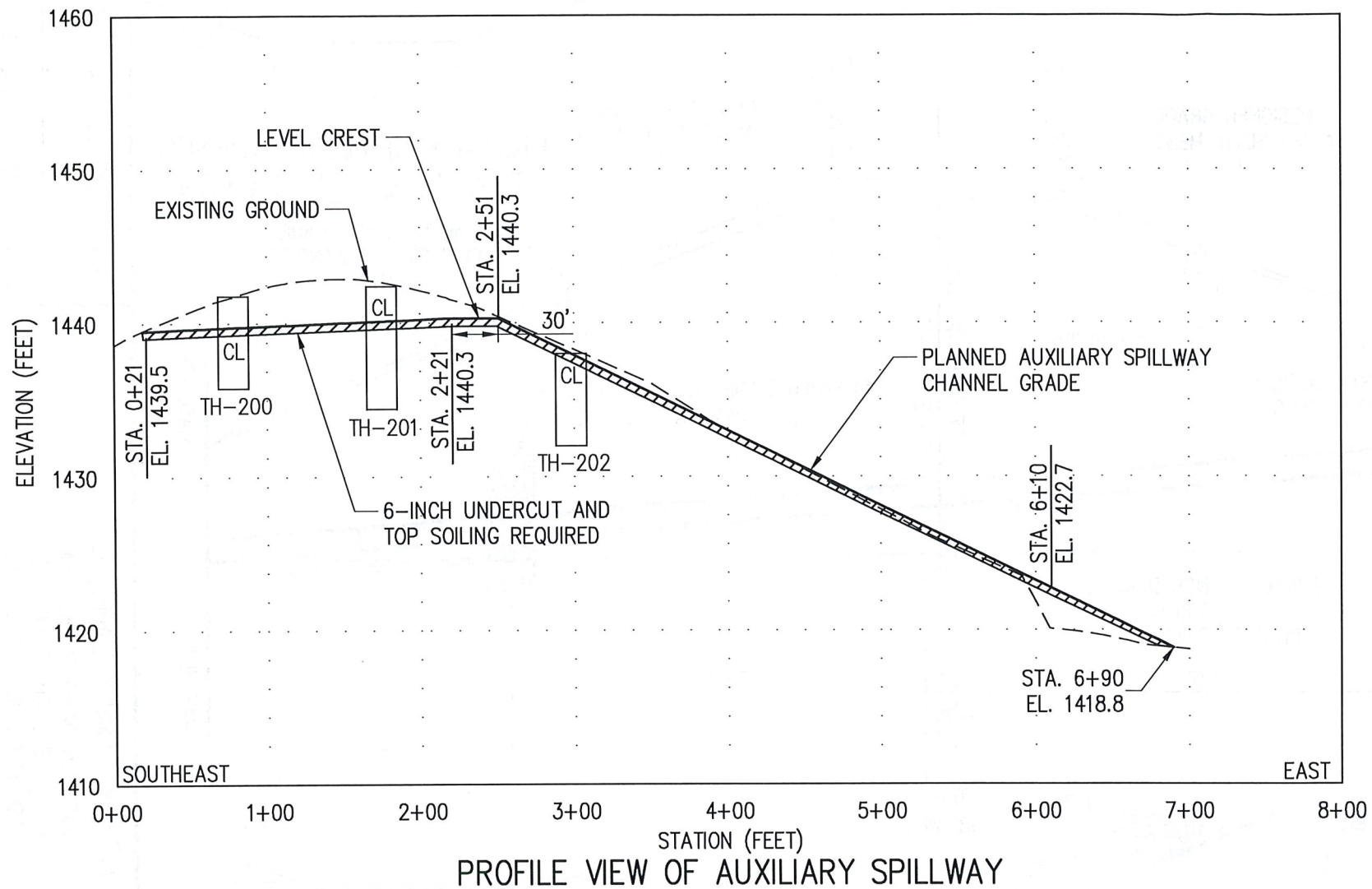
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 PLAN VIEW.DWG

SHEET NO. 8 OF 17

EARTHFILL REQUIREMENTS

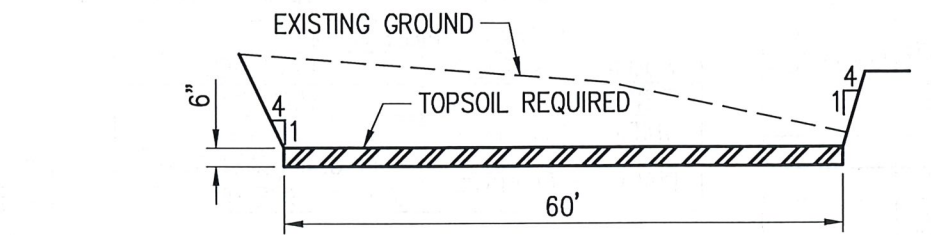


PROFILE VIEW OF AUXILIARY SPILLWAY

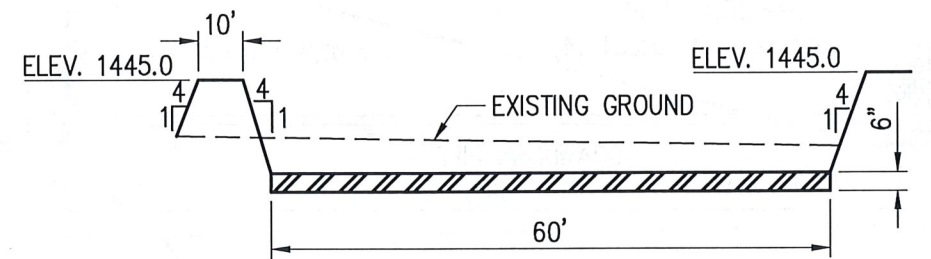
- BORROW MATERIAL TO BE OBTAINED FROM REQUIRED EXCAVATIONS AND FROM APPROXIMATE AREA OUTLINED ON TOPOGRAPHIC MAP.
- SOIL EXPLORATION DATE: SEPTEMBER 3, 2021
CLEAR AND GRUB AREA OCCUPIED BY AND APPROXIMATELY 20 FEET BEYOND THE EMBANKMENT, OUTLET CHANNEL, AND AUXILIARY SPILLWAY.
- CLEAR THE RESERVOIR, EXCLUSIVE OF THE BORROW PITS, BELOW ELEVATION 1437.0

UNIFIED SOIL CLASSIFICATION SYMBOLS

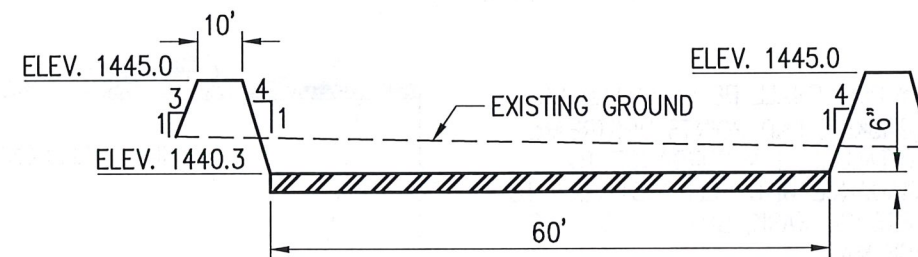
CL CLAYS OF LOW TO MEDIUM PLASTICITY; SILTY, SANDY OR GRAVELLY CLAYS



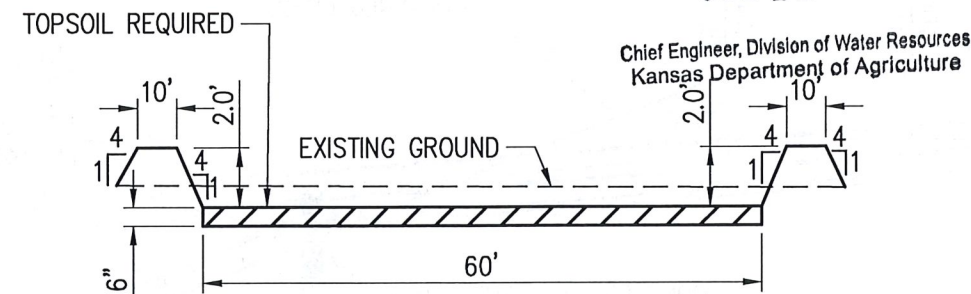
AUXILIARY SPILLWAY TYPICAL CROSS SECTION STATION 0+21 TO STATION 1+47



AUXILIARY SPILLWAY TYPICAL CROSS SECTION STATION 1+47 TO STATION 2+21



AUXILIARY SPILLWAY TYPICAL CROSS SECTION STATION 2+21 TO STATION 2+51



AUXILIARY SPILLWAY TYPICAL CROSS SECTION STATION 2+51 TO STATION 6+10

PROFILE OF AUXILIARY SPILLWAY

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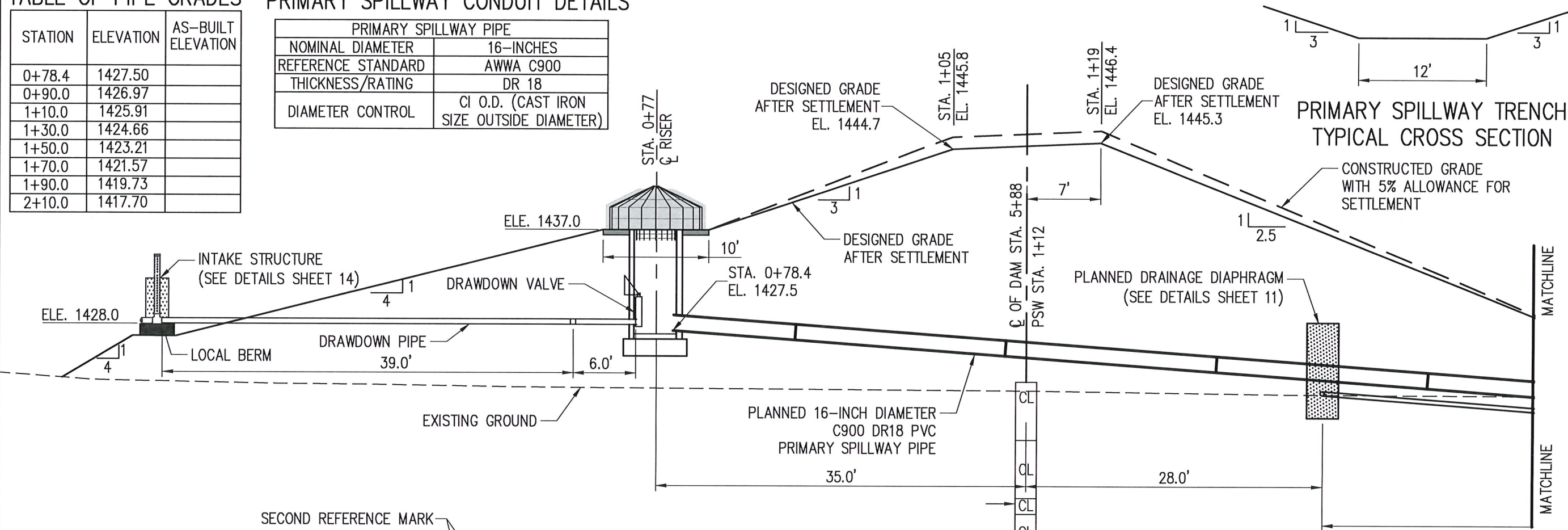
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TABLE OF PIPE GRADES

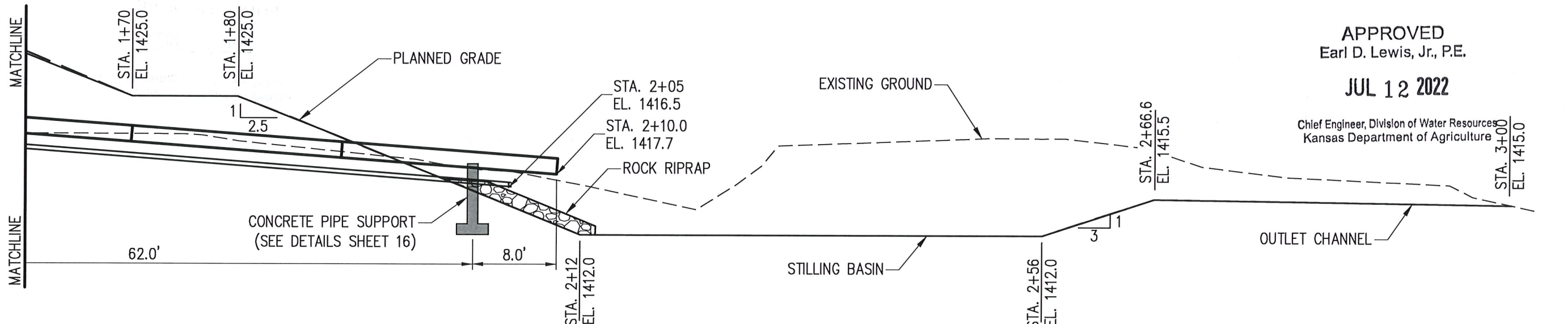
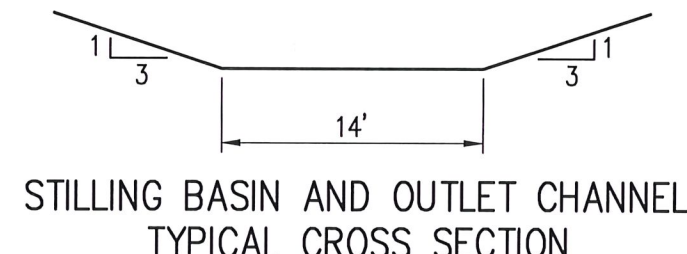
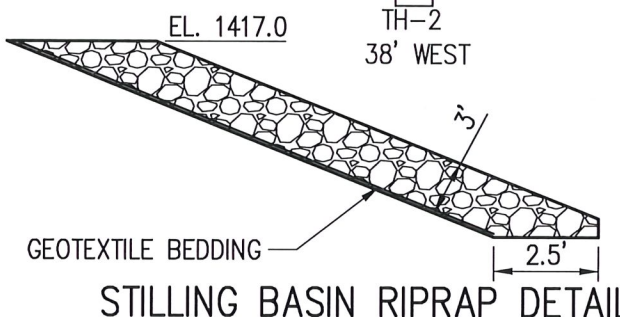
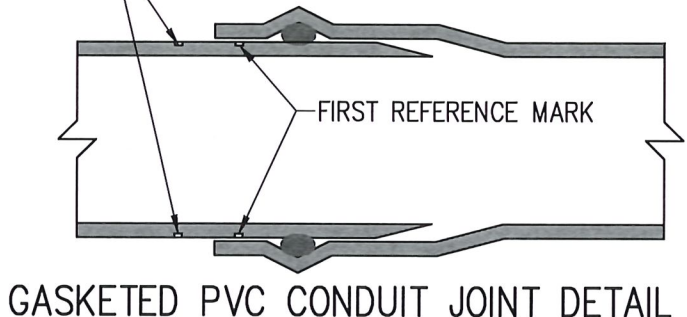
STATION	ELEVATION	AS-BUILT ELEVATION
0+78.4	1427.50	
0+90.0	1426.97	
1+10.0	1425.91	
1+30.0	1424.66	
1+50.0	1423.21	
1+70.0	1421.57	
1+90.0	1419.73	
2+10.0	1417.70	

PRIMARY SPILLWAY CONDUIT DETAILS

PRIMARY SPILLWAY PIPE	
NOMINAL DIAMETER	16-INCHES
REFERENCE STANDARD	AWWA C900
THICKNESS/RATING	DR 18
DIAMETER CONTROL	CI O.D. (CAST IRON SIZE OUTSIDE DIAMETER)



- NOTES:**
1. PRIMARY SPILLWAY PIPE SHALL BE INSTALLED SO THAT THE BELL (GASKET) END POINTS UPSTREAM.
 2. PIPE SHALL BE INSTALLED IN ACCORDANCE TO MANUFACTURER GUIDANCE WITH BELL INSTALLED TO COVER FIRST REFERENCE MARK, BUT NOT BEYOND SECOND REFERENCE MARK.
 3. EXPOSED PORTIONS OF PVC PIPE SHALL BE PAINTED WITH A WATER-BASED LATEX PAINT FORMULATED FOR EXTERIOR USE.



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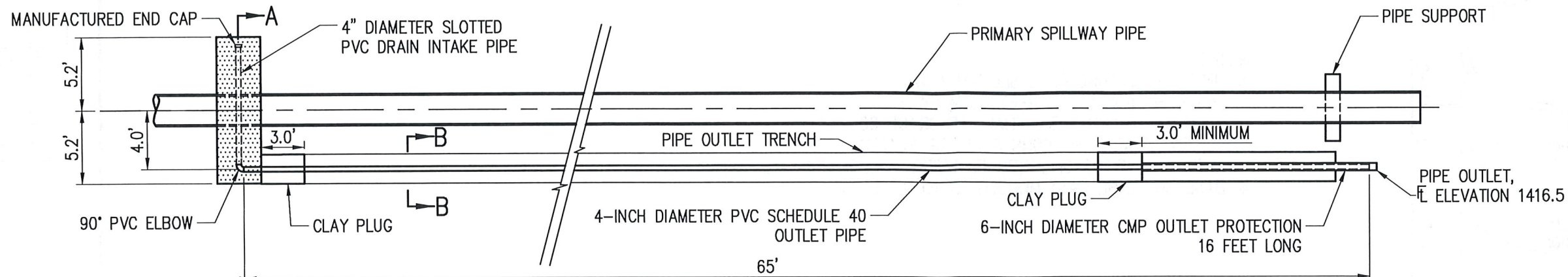


CAD FILE NAME:
 PLAN VIEW.DWG

REV.	DATE	BY	DESCRIPTION	CHECK	APPROVE
1	5/22	JRC	RAISED TOP OF DRAINAGE DIAPHRAGM TO ELEV. 1428.8	JDG	JDG

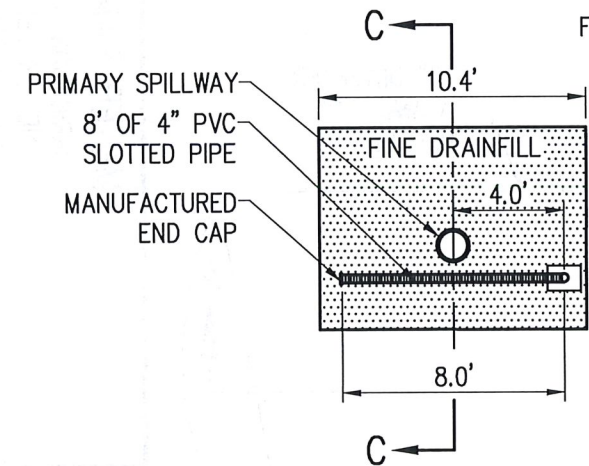
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JRC	JDG	JDG

DATE	DATE	DATE
10/21	10/21	12/21

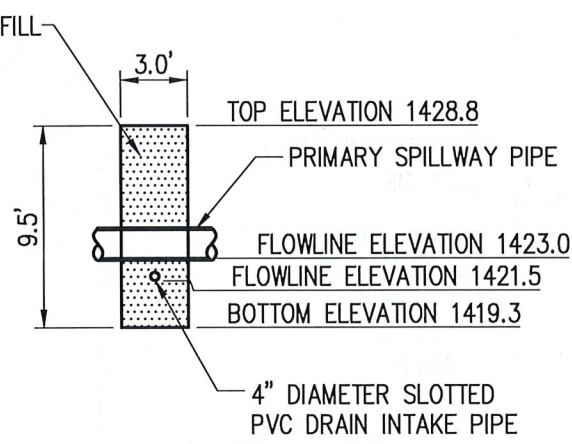


PLAN VIEW
DRAINAGE DIAPHRAGM & OUTLET PIPE

NOT TO SCALE



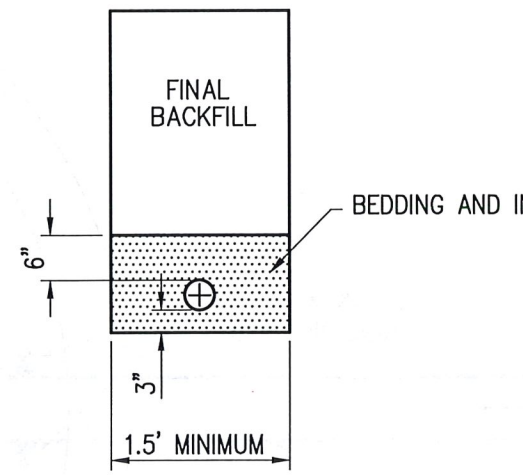
SECTION A-A



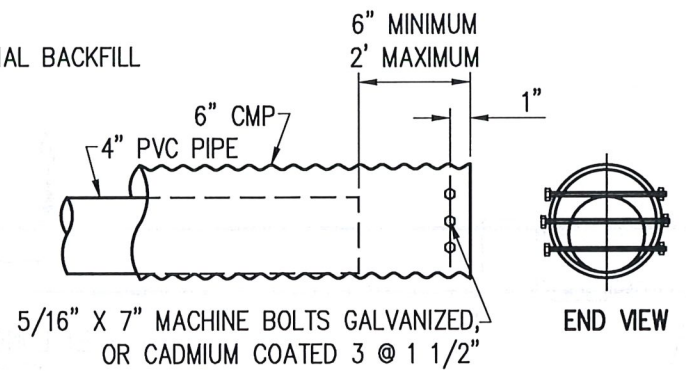
SECTION C-C

FINE DRAINFILL GRADATION

SIEVE No.	% PASSING
3/8"	100
4	95-100
8	80-100
16	50-85
30	30-80
50	10-50
100	0-30
200	< 10



SECTION B-B
PIPE OUTLET TRENCH AND BACKFILL



SIDE VIEW
CMP OUTLET DETAILS

- NOTES:
1. MAXIMUM DEPTH FOR OPEN TRENCH IS 5 FEET.
 2. MINIMUM COVER IS 2 FEET BEFORE HEAVY EQUIPMENT CAN CROSS.
 3. BEDDING AND INITIAL BACKFILL SHALL BE CLEAN SAND WITH LESS THAN 10% PASSING #200 SIEVE.

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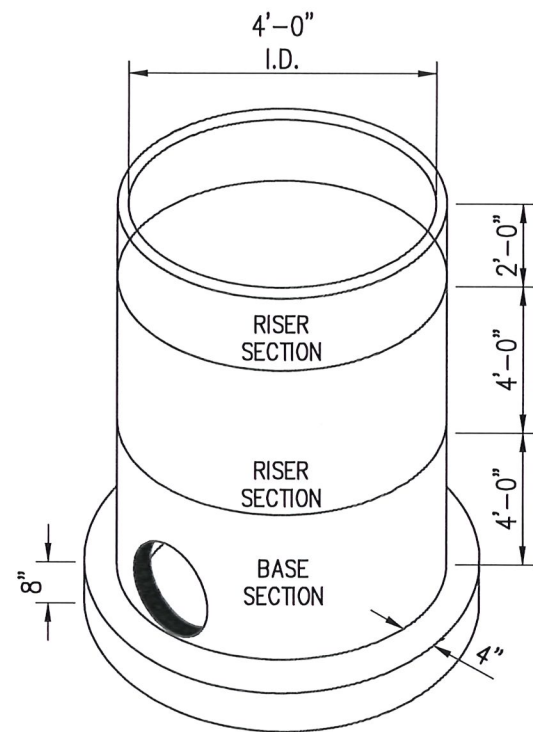
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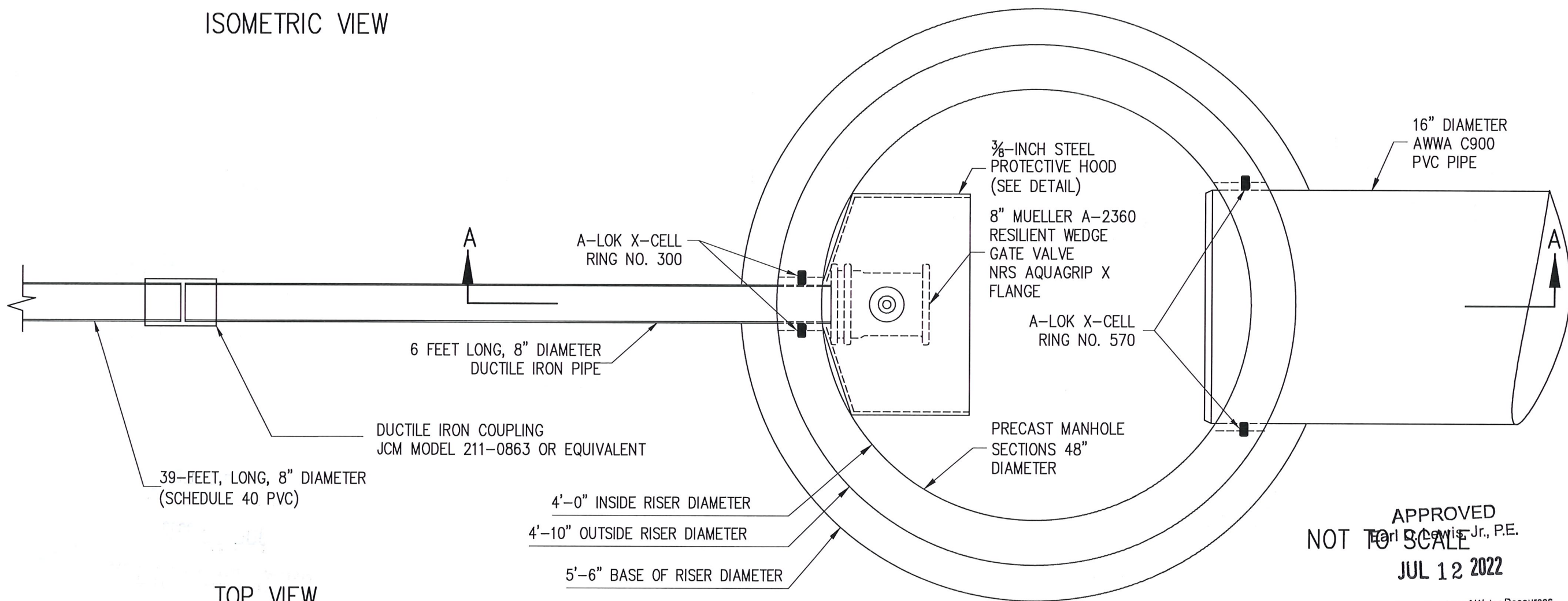
DRAINAGE DIAPHRAGM DETAILS



ISOMETRIC VIEW

NOTES:

1. INLET STRUCTURE BASE SECTION AND RISER SECTION SHALL MEET ASTM C478.
2. ALL REINFORCING STEEL SHALL BE GRADE 60.
3. JOINTS BETWEEN SECTIONS SHALL BE SEALED WITH TWO WRAPS OF EXTRUDED BUTYL RUBBER JOINT MASTIC.
4. BASE SHALL BE CAST MONOLITHIC TO RISER.



TOP VIEW

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RISER DETAILS

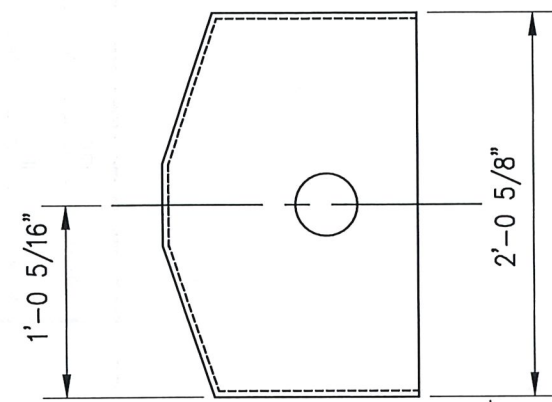
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CHECKED	JRC	DATE	10/21
APPROVED	JDG	DATE	12/21

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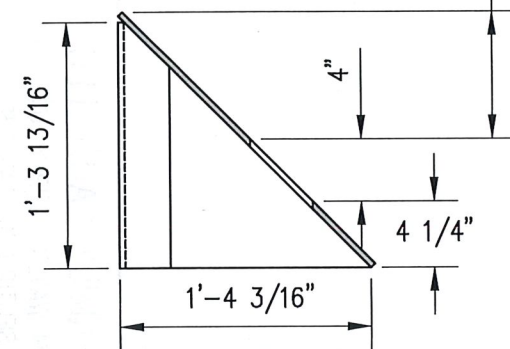
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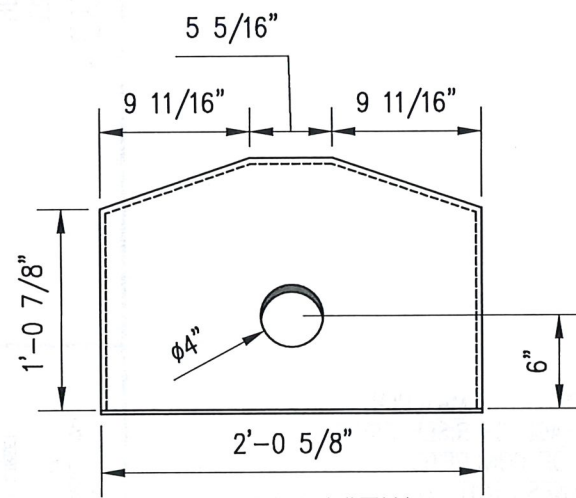
CAD FILE NAME:
 CONCRETE INLET 48 INCH DIAMING



TOP VIEW



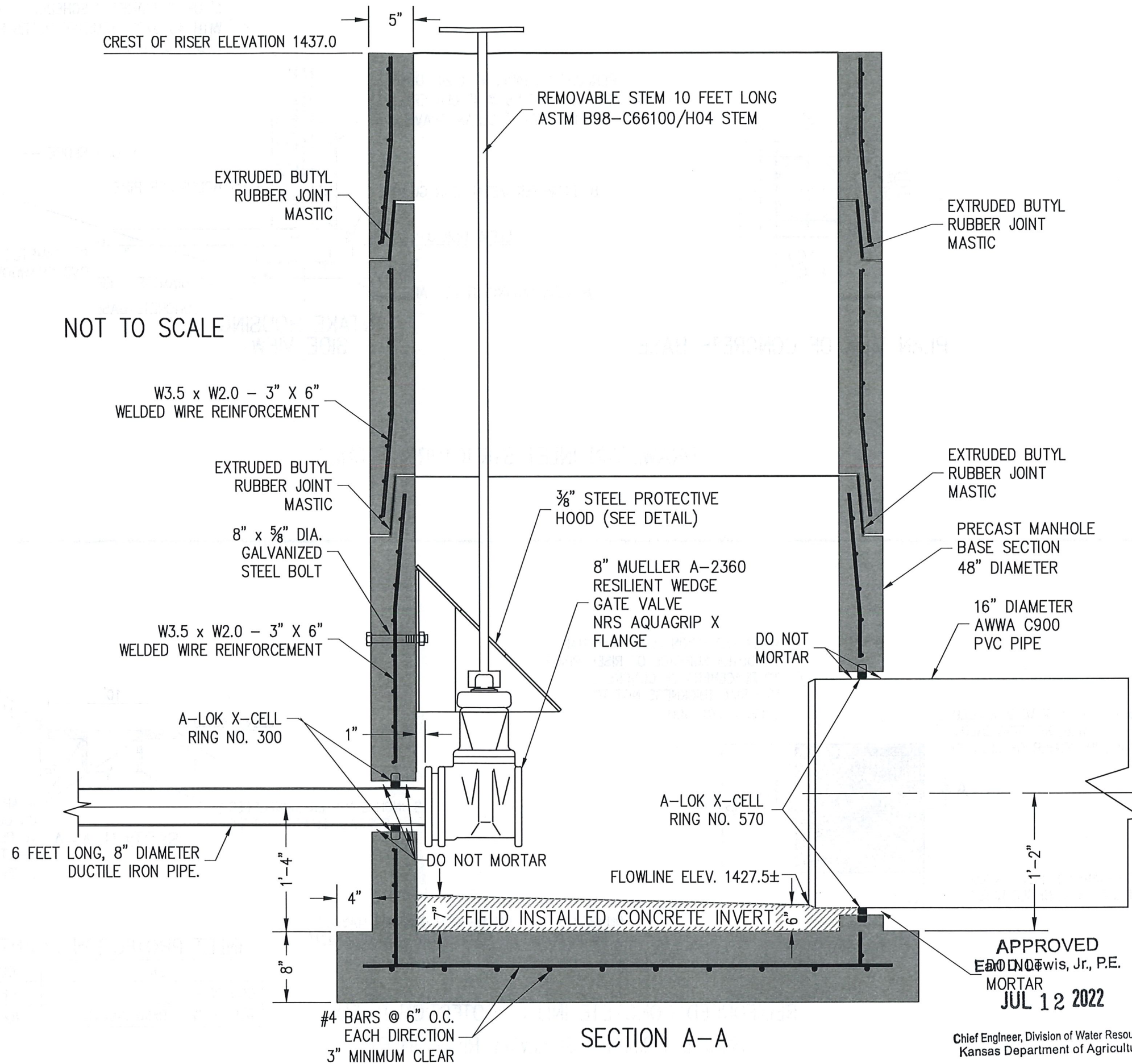
SIDE VIEW



FRONT VIEW

PROTECTIVE HOOD DETAILS

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SECTION A-A

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RISER DETAILS

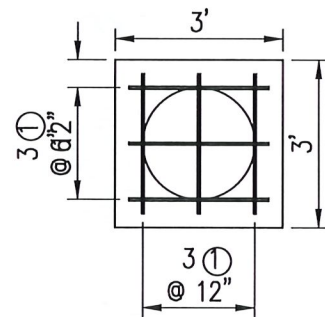
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PLAN VIEW OF CONCRETE BASE



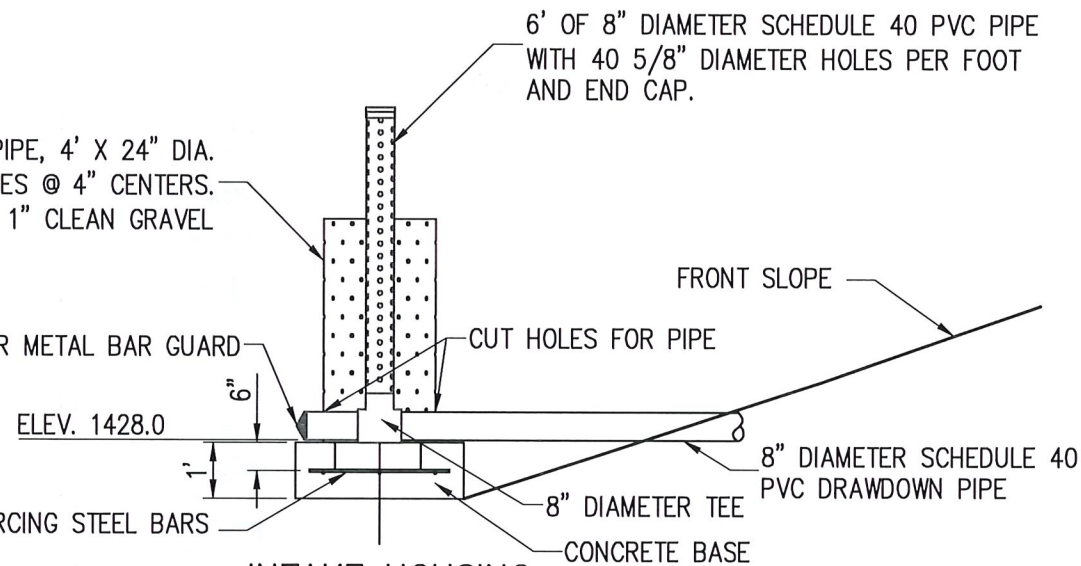
PERFORATED PIPE, 4' X 24" DIA.
14 GA. WITH 3/4" HOLES @ 4" CENTERS.
FILL WITH 1" CLEAN GRAVEL

8" DIAMETER METAL BAR GUARD

ELEV. 1428.0

#4 REINFORCING STEEL BARS

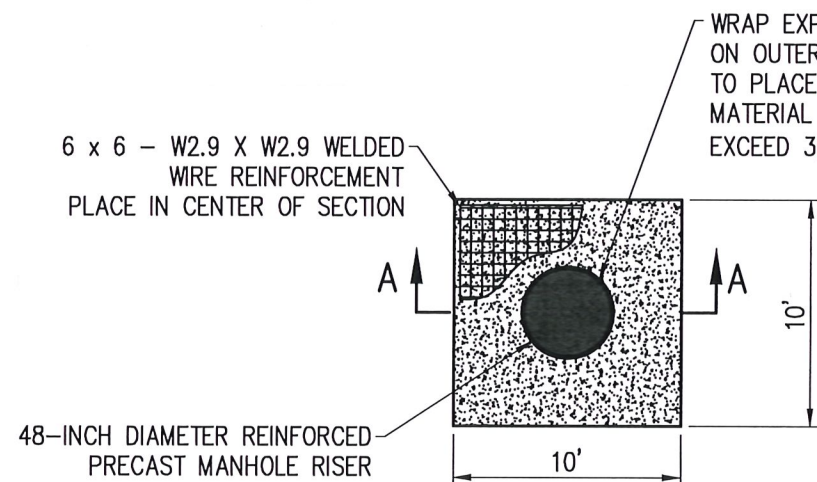
INTAKE HOUSING
SIDE VIEW



DRAWDOWN INLET STRUCTURE DETAILS

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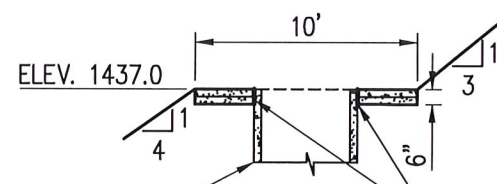
DRAWN	JRC	DATE	10/21
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APPROVED	JDG	DATE	12/21



PLAN VIEW

NOTE:
1. NUMBER 3 BARS ON 18-INCH CENTERS MAY BE USED IN PLACE OF WELDED WIRE REINFORCEMENT.

REINFORCED CONCRETE INLET PROTECTION DETAIL
AROUND PRIMARY SPILLWAY RISER INLET



SECTION A-A

48-INCH DIAMETER REINFORCED
PRECAST MANHOLE RISER

WRAP EXPANSION JOINT MATERIAL
ON OUTER SURFACE OF RISER PRIOR
TO PLACEMENT OF CONCRETE.
MATERIAL THICKNESS NOT TO
EXCEED 3/8 INCH.

INLET PROTECTION QUANTITIES

ITEM	QUANTITY
CONCRETE	1.6 CU. YD.
WELDED WIRE REINFORCEMENT	82 SQ. FT.

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JUL 12 2022

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Kansas Department of Agriculture

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SHEET NO. 14 OF 17

DRAWDOWN AND RISER INLET PROTECTION DETAILS

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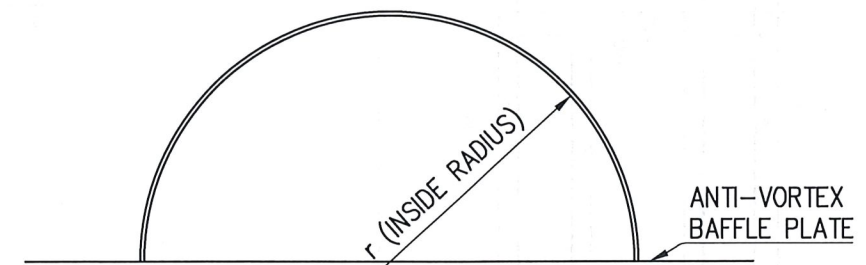
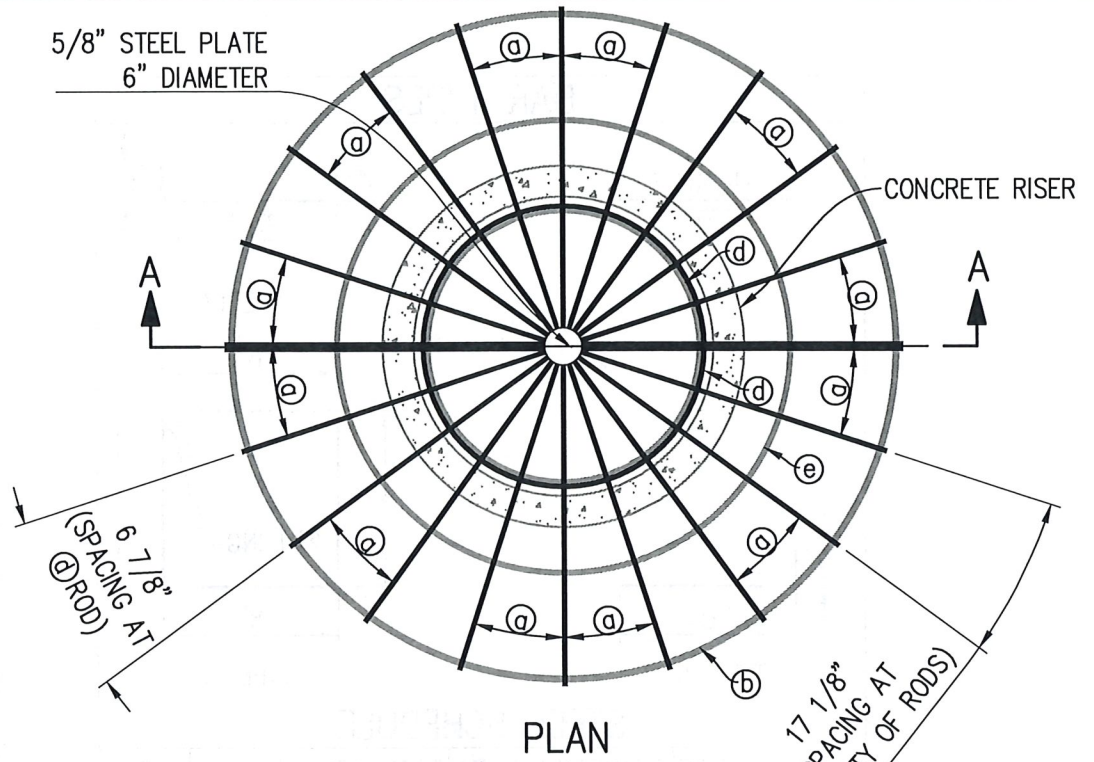
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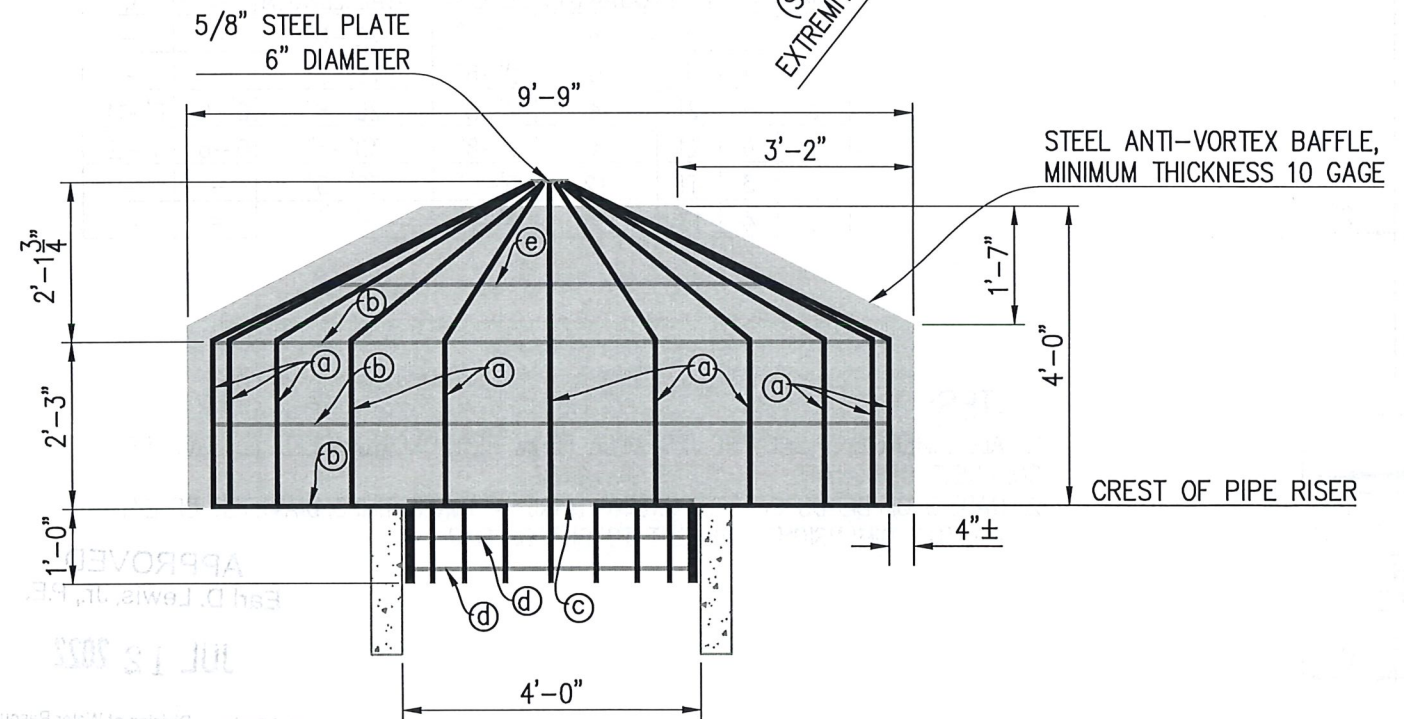
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 TRASH RACK 48 INCH.DWG
 SHEET NO. 15 OF 17

NOTES:

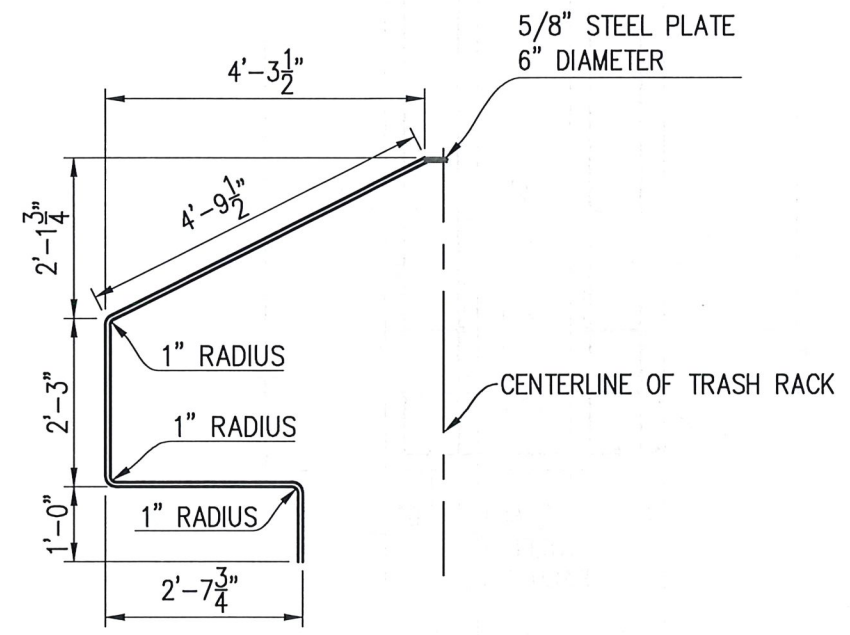
1. WELD (b), (c), (d) AND (e) RODS TO (a) RODS AND WELD (a) RODS TO TOP PLATE.
2. THE TRASH RACK MAY BE FABRICATED IN IDENTICAL HALVES AND ATTACHED TO THE BAFFLE PLATE WITH 1/2 INCH. DIAMETER U BOLTS SPACED APPROXIMATELY 12 INCHES C-C ALONG THE VERTICAL AND INCLINED SECTIONS OF THE (a) RODS NEXT TO THE PLATE.



BENDING DIAGRAM FOR (b), (c), (d) & (e) RODS



SECTIONAL ELEVATION A-A



BENDING DIAGRAM FOR (a) RODS

DIMENSIONS AND QUANTITIES FOR 48 INCH DIAMETER TRASH RACK

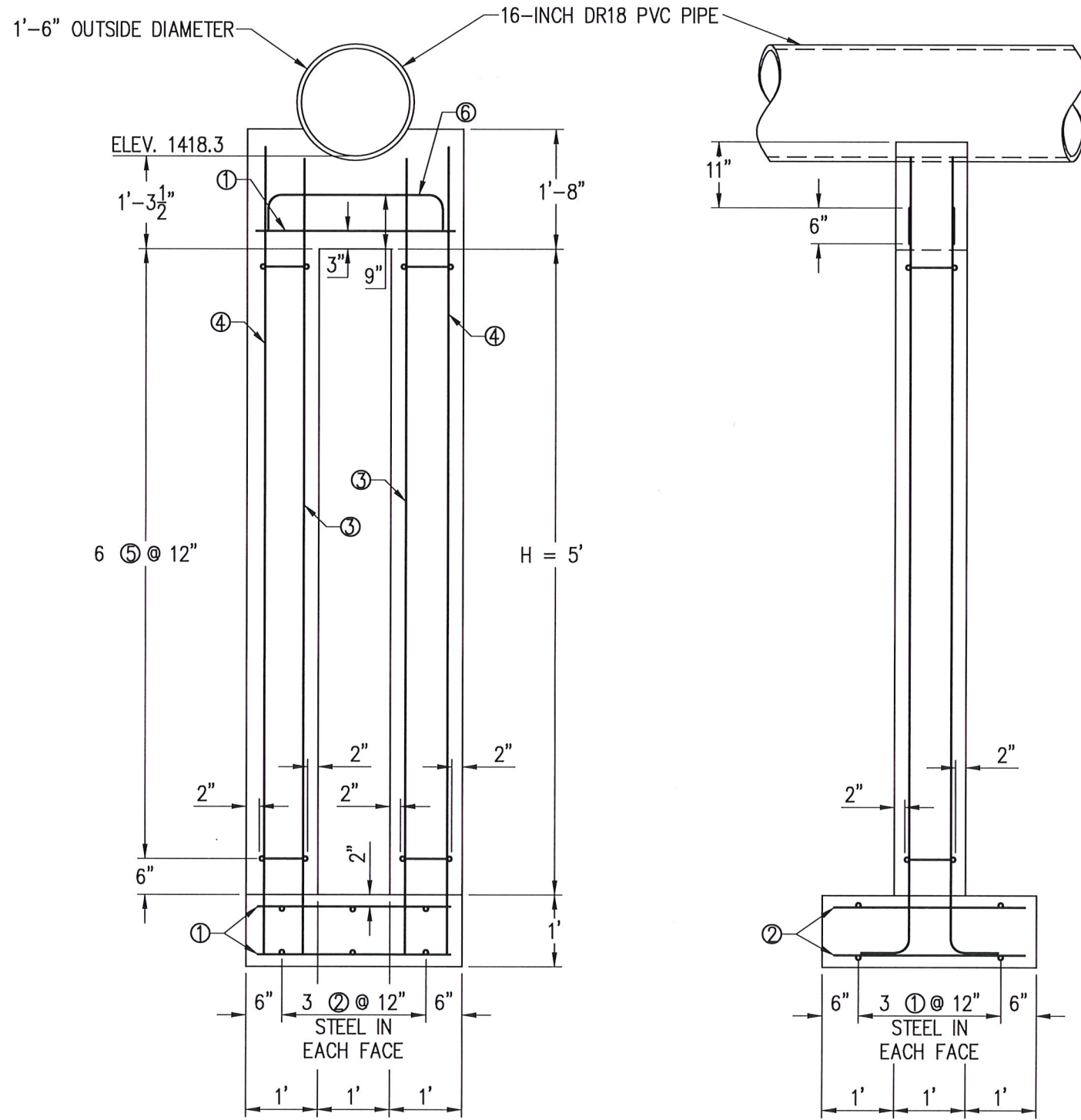
APPROXIMATE WEIGHT (LBS.)	a RODS - 3/4" DIAMETER		b RODS - 3/4" DIAMETER		c RODS - 5/8" DIAMETER			d RODS - 1/2" DIAMETER			e RODS - 5/8" DIAMETER			
	TOTAL LENGTH	NO. REQ'D	NO. REQ'D	r (INCHES)	LENGTH	NO. REQ'D	r (INCHES)	LENGTH	NO. REQ'D	r (INCHES)	LENGTH	NO. REQ'D	r (INCHES)	LENGTH
650	10'-5 3/4"	22	6	53	13'-11 5/8"	2	23 1/4	6'-1 5/8"	4	22 1/4	5'-10 5/8"	2	36	9'-6"

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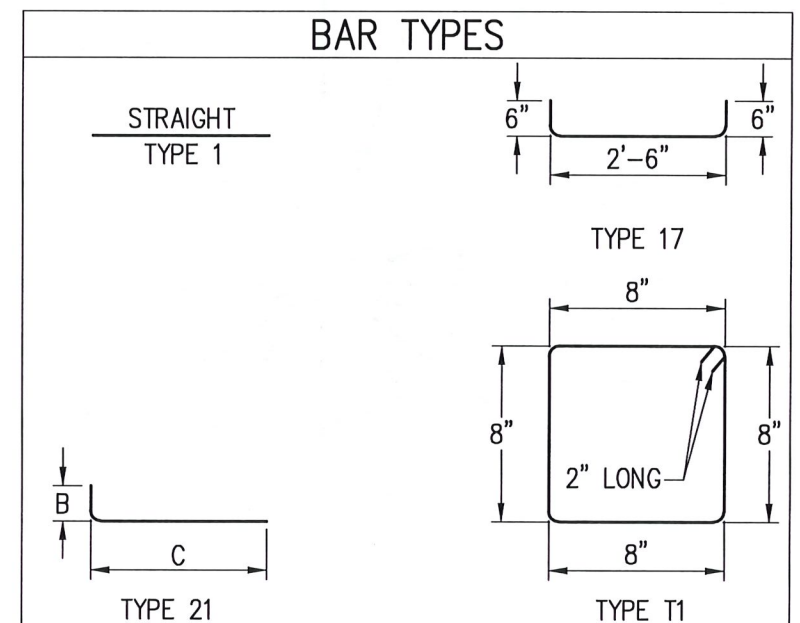
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TRASH RACK



FRONT ELEVATION
 SIDE ELEVATION
 DETAIL OF CANTILEVER OUTLET SUPPORT



STEEL SCHEDULE

MARK	SIZE	TYPE	QUANTITY	LENGTH	TOTAL LENGTH	B	C
1	4	1	8	2'-9"	22'-0"	-	-
2	4	1	6	2'-6"	15'-0"	-	-
3	6	21	4	7'-5"	29'-8"	0'-6"	6'-11"
4	6	21	4	7'-8"	30'-8"	0'-6"	7'-2"
5	3	T1	12	3'-0"	36'-0"	-	-
6	4	17	2	3'-6"	7'-0"	-	-

- NOTES:**
1. ALL DIMENSIONS SHOWING DISTANCE FROM REINFORCING STEEL TO FACE OF CONCRETE DESIGNATE THE CLEAR DISTANCE.
 2. RADIUS OF BENDS OF REINFORCING BARS = THREE TIMES DIAMETER OF BAR.
 3. ALL BAR DIMENSIONS ARE OUT TO OUT OF BAR.

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QUANTITIES

QUANTITY		ITEM
CONCRETE		0.9 CU. YDS.
REINFORCING STEEL		
SIZE	TOTAL LENGTH	
3	36'-0"	14 LB.
4	44'-0"	29 LB.
6	60'-4"	90 LB.
TOTAL		133 LB.

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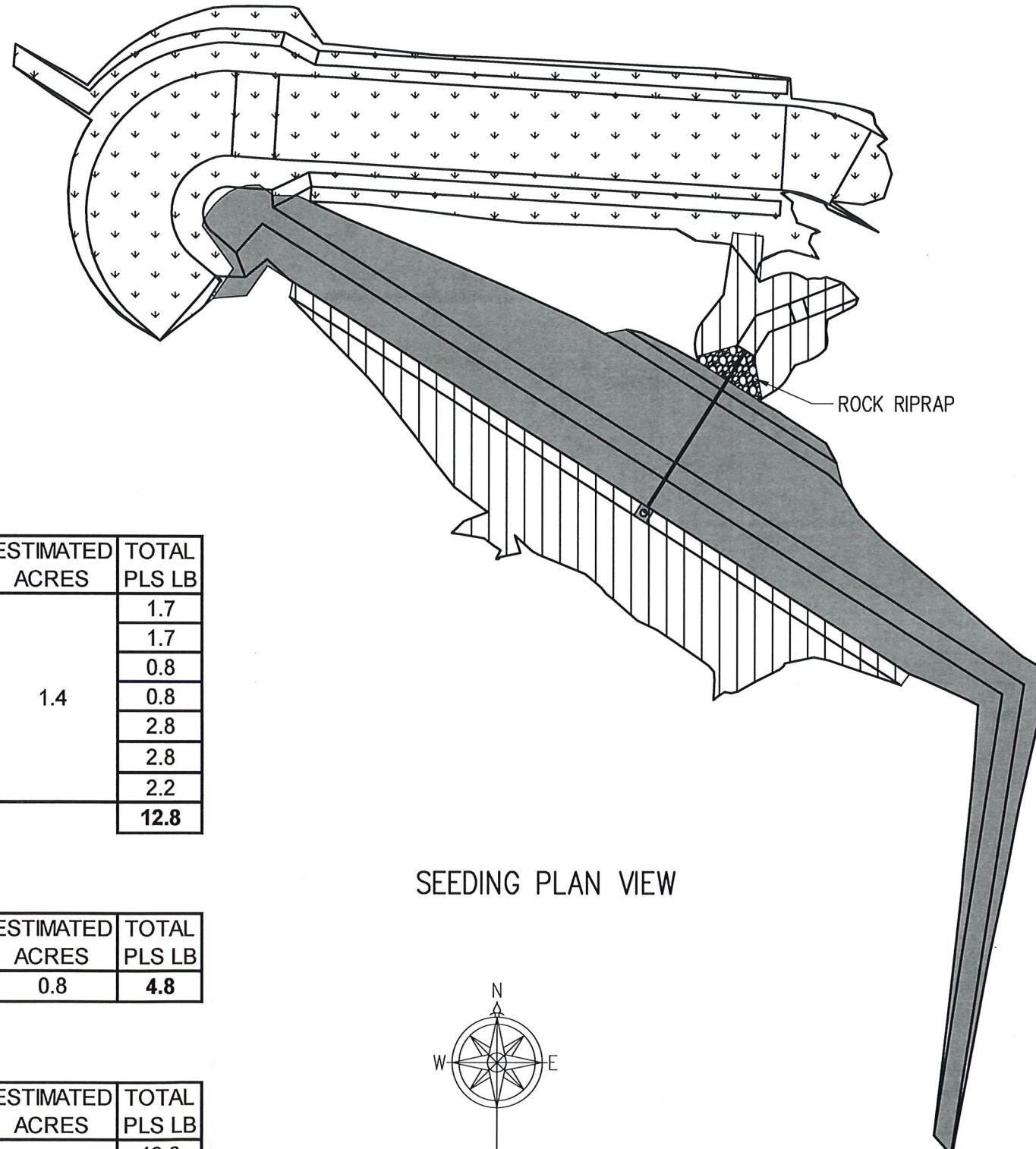
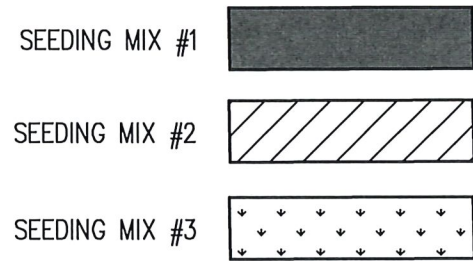
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CAD FILE NAME:
 CONCRETE 18 PIPE SUPPORT.DWG

CONCRETE PIPE SUPPORT

LEGEND



SEEDING MIX

SEED MIX NO. 1

GRASS SPECIES	VARIETY	UNIT PLS* (LB/AC)	% OF MIX	MIX PLS (LB/AC)	ESTIMATED ACRES	TOTAL PLS LB
BIG BLUESTEM	KAW	12	10%	1.2	1.4	1.7
INDIANGRASS	CHEYENNE	12	10%	1.2		1.7
SWITCHGRASS	BLACKWELL	6	10%	0.6		0.8
BLUE GRAMA	LOVINGTON	3	20%	0.6		0.8
WESTERN WHEATGRASS	BARTON	20	10%	2.0		2.8
BUFFALOGRASS	SHARP'S IMPROVED	10	20%	2.0		2.8
LITTLE BLUESTEM	ALDOUS	8	20%	1.6		2.2
TOTAL MIX				9.2		12.8

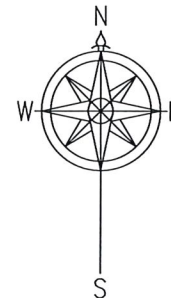
SEED MIX NO. 2

GRASS SPECIES	VARIETY	UNIT PLS* (LB/AC)	% OF MIX	MIX PLS (LB/AC)	ESTIMATED ACRES	TOTAL PLS LB
KANLOW SWITCHGRASS	PATHFINDER	6	100%	6.0	0.8	4.8

SEED MIX NO. 3

GRASS SPECIES	VARIETY	UNIT PLS* (LB/AC)	% OF MIX	MIX PLS (LB/AC)	ESTIMATED ACRES	TOTAL PLS LB
WESTERN WHEATGRASS	BARTON	20	40%	8.0	1.7	13.6
BUFFALOGRASS	SHARP'S IMPROVED	10	30%	3.0		5.1
SIDEOATS GRAMA	EL RENO	12	15%	1.8		3.1
BLUE GRAMA	LOVINGTON	3	15%	0.45		0.8
TOTAL MIX				13.25		22.5

SEEDING PLAN VIEW



ROCK RIPRAP

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JUL 12 2022

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Kansas Department of Agriculture

SEEDING PLAN

DRAWN	JRC	DATE	10/21
CHECKED	JDG	DATE	10/21
APPROVED	JDG	DATE	12/21

MEYER FAMILY LAND, LLC
IRRIGATION WATER SUPPLY DAM
NE 1/4 SECTION 36 T4S R3E
WASHINGTON COUNTY, KANSAS

1700 E IRON
SALINA, KANSAS 67401
(785) 823-0097
1303 YUCCA STREET
SCOTT CITY, KANSAS 67871
(820) 872-2500



CAD FILE NAME:
PLAN VIEW.DWG

SHEET NO. 17 OF 17

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
July 12, 2022

Laura Kelly, Governor

Meyer Family Land, LLC
Ben Meyer
1122 7th Rd
Linn, KS 66953

Re: Permit to Construct
Water Structure No.: DWS-0131
Site Name: Meyer Irrigation Water Supply Dam

Dear Dam Owner:

Enclosed is the Chief Engineer's permit and one set of the approved plans and specifications, authorizing construction of your dam across an unnamed tributary to Coon Creek in the SE 1/4 of the NE 1/4 of the NE 1/4 of Section 36, Township 04 South, Range 03 East, Washington County, Kansas. A copy of the approved plans will be retained in our files.

Under the requirements of the Environmental Coordination Act an application notice was sent to seven state agencies for their review and comments. Copies of the responses are enclosed for your information. Please review these comments and take appropriate steps to address any concerns.

You are required to notify the Division of Water Resources at least 48 hours in advance of the start of construction and placing backfill in the cutoff trench, around the primary spillway pipe, or any other pipe through the embankment.

The notice and proof of completion form included with this permit must be returned within 30 days of completion of construction. You are also required to include clearly defined as-built drawings as per K.A.R. 5-40-12 and benchmark information as outlined in K.A.R. 5-40-72.

Upon receipt of your notice that the construction is complete, we may schedule a final inspection of the structure. Please include your telephone number on the notice of completion form so we can contact you for the final inspection.

Sincerely,

Zack Rust
Water Structures Engineer
(785) 564-6678

Enclosure

pc: Jarred Green, KLA Environmental – jgreen@klaenviro.com
Steven Whetzel, Kanopolis Satellite Office, Corps of Engineers – steven.m.whetzel@usace.army.mil
Lloyd Hemphill, Water Appropriations – Lloyd.Hemphill@ks.gov
Katie Tietsort, Water Appropriations – Katie.Tietsort@ks.gov
Randy Hubbard, Washington County Emergency Management Coordinator –
wscoem@washingtoncountyks.gov

Notice No. 2022024

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., Chief Engineer

PERMIT NO. DWS-0131


Permit for Construction

K.S.A. 82a-301 et seq.

The Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, by virtue of the powers and duties imposed by K.S.A. 82a-301 to 305a, hereby issues this approval to Meyer Family Land, LLC giving his consent to the construction of an earthen dam designated as Meyer Irrigation Water Supply Dam across an unnamed tributary to Coon Creek in the SE 1/4 of the NE 1/4 of the NE 1/4 of Section 36, Township 04 South, Range 03 East, Washington County, Kansas.

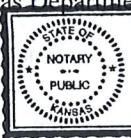
All work authorized by this approval shall be performed in accordance with the maps, plans, profiles and specifications filed with the application, subject to the provisions of the aforementioned statutes, their regulations and the attached permit conditions.


Witness my hand this 12th day of July, 2022.


EARL D. LEWIS, JR., P.E.
CHIEF ENGINEER
Earl D. Lewis Jr., P.E.
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
)SS
County of Riley)

The foregoing instrument was acknowledged before me this 12th day of June, 2022, by Earl D. Lewis Jr., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

 SHEILA MATHOS
My Appointment Expires
March 26, 2024


Notary Public

RECORD THIS PERMIT WITH THE REGISTER OF DEEDS
OF THE COUNTY WHEREIN THE WORK IS LOCATED

PERMIT CONDITIONS

1. This permit grants no water rights or other property rights, nor does it authorize any injury to private property, invasion of private rights or impairment of senior water rights, nor does it exempt you from obtaining consent from appropriate federal, state or local government.
2. The work shall at all times be subject to supervision and inspection by representatives of the Division of Water Resources.
3. No changes in the work, maps, plans, profiles and/or specifications as approved shall be made except with the written consent of the Chief Engineer.
4. Any work authorized by this permit will be maintained in a condition satisfactory to the Chief Engineer and substantially in accordance with the approved plans.
5. The clearing of trees, brush, drift and other debris in order to maintain the work substantially in accordance with the approved plans is hereby authorized, except that the removal of plantings made specifically for habitat or environmental mitigation is not authorized by this permit.
6. Any excess material deposited in the stream channel incident to the construction and maintenance of the project authorized by this permit shall be removed and the channel restored to a condition satisfactory to the Chief Engineer and substantially in accordance with the approved plans.
7. All areas disturbed by construction and all other exposed soil areas shall be seeded and maintained with a mixture of grass or other vegetation appropriate to the soils, climate and project in order to minimize erosion and protect the project integrity.
8. If the work is not completed on or before the 1st day of July, 2024, this permit, if not specifically extended, shall cease and be null and void. If, upon the expiration or revocation of this permit, the work has not been completed, the permittee shall, at his own expense and to such extent and in such time and manner as the Chief Engineer may require, remove all or any portion of the uncompleted work and restore the watercourse to a satisfactory condition. No claim shall be made against the State of Kansas on account of any such removal or alteration.
9. The Chief Engineer reserves the right to require such changes in the maps, plans, profiles, specifications and conditions as may be considered necessary. The Chief Engineer further reserves the right to modify, suspend or revoke this permit at any time should the permittee fail to comply with any of the conditions of this permit or regulations of the Division of Water Resources without sufficient cause or should such action be deemed necessary in the interest of public safety and welfare.
10. The Division of Water Resources shall be notified at least 48 hours in advance of commencement of the work on the dam authorized by this permit.
11. Within thirty (30) days after the completion of the work authorized by this permit, the permittee shall file with the Division of Water Resources the attached Notice and Proof of Completion Form.
12. The construction of the dam authorized by this permit shall be under the direction of a qualified engineer. He/she or a competent representative shall make adequate inspections as outlined in K.A.R. 5-40-71 to ensure that the dam is constructed according to the plans and specifications.
13. As-built drawings prepared by a licensed professional engineer must be submitted within ninety (90) days after the completion of the work authorized by this permit. These plans shall clearly show any deviation from the approved plans that were made during construction of the dam. The changes shall be shown in red or a color different from that of the approved plans. As per K.A.R. 5-40-12 (C), a legibly marked-up copy of the approved plans shall be acceptable as as-built drawings.
14. No material shall be placed on any portion of the foundation until such portion of the foundation has been approved by a representative of the Division of Water Resources.
15. The Division of Water Resources shall be notified at least 48 hours in advance of the installation of the principal spillway pipe and appurtenances. No back-fill material shall be placed around or over the pipe and appurtenances until such operation has been approved by a representative of the Division of Water Resources.
16. If not already established before construction, two permanent bench marks will be established near the dam at easily accessible locations and the location, type, and elevation of those bench marks will be submitted to the Division of Water Resources within thirty (30) days following completion of construction.

STATE OF KANSAS
DIVISION OF WATER RESOURCES
DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DR
MANHATTAN KS 66502

In the matter of: Water Structure No. DWS-0131
Meyer Family Land, LLC
Meyer Irrigation Water Supply Dam

NOTICE AND PROOF OF COMPLETION
Construction of a Dam
K.S.A. 82a-301 et seq.

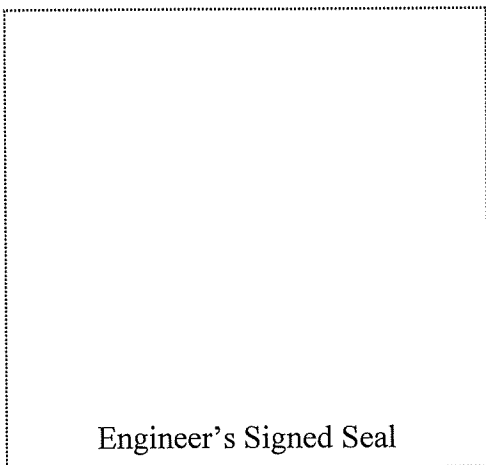
I, the undersigned, being the engineer responsible for the inspection of the dam permitted by the Chief Engineer under K.S.A. 82a-301 through 305a and located in the SE 1/4 of the NE 1/4 of the NE 1/4 of Section 36, Township 04 South, Range 03 East, Washington County, Kansas, hereby certify that the construction to the dam, identified above, has been completed in accordance with the approved plans and specifications, the permit, and the terms, conditions and limitations incorporated therein, except as noted in any description of variances attached to this document.

Date of completion: _____

Items included (check those items attached):

- _____ Explanation of variances from the approved plans
_____ Final elevation and coordinates of each permanent benchmark (required)
_____ Daily inspections logs (if required by permit)

Dated this _____ day of _____ 20_____.



Company: _____

Address: _____

Telephone
No: _____

K.A.R. 5-40-12. As-Built Drawings.

- (a) Each permit shall be conditioned by the chief engineer to require as-built drawings for each category listed in subsection (b) to be submitted within 90 days of the completion of the dam, repairs, or modifications, or any extension of time authorized by the chief engineer for good cause. The drawings shall be prepared by a person qualified prepare the original plans and specifications pursuant to K.A.R. 5-40-4.
- (b) As-built drawings shall be submitted for each of the following categories:
 - (1) All high-impact dams;
 - (2) any dam, if required by the chief engineer as a condition of the permit to build, repair, or modify the dam; and
 - (3) any dam, if required by the chief engineer as the result of an approval of a change in the approved plans requested by the applicant during construction.
- (c) The as-built drawings shall show all the features of the structure included in the approved plans as those features were constructed. A legibly marked-up copy of the approved plans shall be acceptable as as-built drawings.
- (d) A profile of the bottom of the cutoff trench as constructed shall be shown on the as-built drawings. (Authorized by K.S.A. 2006 Supp. 82a-303a; implementing K.S.A. 82a-303 and 82a-303a; effective May 1, 1987; amended May 18, 2007.)

Rust, Zack [KDA]

From: Hofmeier, Jordan [KDWP]
Sent: Tuesday, March 1, 2022 9:13 AM
To: Rust, Zack [KDA]
Subject: KDWP Review: Meyer irrigation water supply dam, WS Co. (Track #20220148; ECA: 2022024)

Follow Up Flag: Follow up
Flag Status: Flagged

Zack Rust,

We have reviewed the information for the proposed irrigation water storage pond in a tributary to Coon Creek in Washington County, KS (Section 36, Township 4 South, Range 3 East). The project was reviewed for potential impacts on crucial wildlife habitats, current state-listed threatened and endangered species and species in need of conservation, and Kansas Department of Wildlife and Parks managed areas for which this agency has administrative authority.

We recommend that the applicant explore alternative methods to instream impoundments.

An off-stream irrigation containment basin would be a preferred alternative to an instream impoundment. In-stream impoundments fragment habitat for aquatic species and impact natural stream functions such as sediment transport. We suggest exploring other designs that do not dam the stream directly but would divert storm water to such a basin for irrigation use. Floating, self-cleaning pumps can operate in very little water and would not result in fragmentation or floodplain alteration.

Impoundments affect aquatic communities and habitat beyond the obvious footprint of the project

The effects of impoundments on stream communities and habitat extend beyond the footprint of the dam and the area inundated by the upstream pool. In-stream impoundments impede movement for aquatic species, interrupt natural stream functions, and convert lotic habitat to lentic habitat at the detriment of many native species. Ephemeral and intermittent streams provide necessary habitat for egg deposition and rearing of larval fish. Many native fish species will rapidly disperse into ephemeral streams once flows return to carry out life history stages within habitat not provided downstream. A strong component of this behavior is the detrital matter and invertebrate mass that accumulates while the stream is dry to later provide food and habitat during the short periods of having wetted stream reaches. The events that provide water in the ephemeral channels will also move the detrital matter and sediment downstream to deliver these nutrients and materials to perennial segments. Perennial stream segments provide the necessary habitat and forage for adult fish to repeat the life history cycle. Under natural conditions, native non-game species are dominant components of the stream fish assemblage. There is evidence that species associated with impoundments (e.g. Largemouth Bass and sunfish) negatively impact the native biota. Largemouth Bass are a predator that can efficiently utilize small fish assemblages as a food resource. These impacts are not restricted to the impoundment, as pond-associated species easily spread to up- and downstream habitats.

We also provide the following comments and general recommendations, when applicable:

- **Erosion control blankets can pose impacts for reptiles and amphibians by ensnaring and entrapping individuals moving over/through the mesh. We recommend using compost, mulch, or biodegradable/natural fiber blankets (coconut/coir fiber is common) as potential alternatives to plastic erosion control blankets. Such alternatives can also promote the growth of vegetation further improving bank stability. Though less**

preferable than the aforementioned options, loose-weave mesh is also acceptable, specifically types with weaves that are not welded at the intersections that would allow the opening to expand if an animal attempts to pass through.

- **Prevent the introduction of aquatic or terrestrial non-native, invasive species during construction. Clean, Drain, and Dry all equipment of water, mud, plant material, and other debris prior to beginning construction. Equipment should be cleaned with pressurized, hot water (120F) or dried for 5 days. Non-native, invasive species in the riparian area should be controlled during construction until native vegetation is established.**
- **Avoid or minimize all bank or instream activity, particularly during general fish spawning season (March 1 – Aug. 31).**
- **Implement and maintain standard erosion-control Best-Management-Practices during all aspects of construction by installing sediment barriers (wattles, filter logs, rock ditch checks, mulching, or any combination of these) across the entire construction area to prevent sediment and spoil from entering aquatic systems. Barriers should be maintained at high functioning capacity until construction is completed and vegetation is established. For more information, go to: <http://www.kdheks.gov/stormwater/#construct>**
- **Reseed disturbed areas with native warm-season grasses, forbs, and trees.**

Although KDWP has no regulatory authority related to threatened/endangered or designated critical habitat for the proposed site, we continue our outreach to the public and private sectors on the importance of intact, functioning watersheds. Also, we strive to inform how “healthy” watersheds provide for flood and grade stabilization control, good water quality, quality terrestrial vegetation, and other functions associated with watersheds in Kansas.

Since the Department’s recreational land obligations and the State’s species listings periodically change, if construction has not started within one year of this date, or if design changes are made in the project plans, the project sponsor must contact this office to verify continued applicability of this assessment report. For our purposes, we consider construction started when advertisements for bids are distributed.

Please consider this email our official review for this project. Thank you for the opportunity to provide these comments and recommendations. Please let me know if you have any questions or concerns about the preceding information.

Please direct all review materials electronically to KDWP.T.ess@ks.gov to streamline the review process for all parties.

JH

Jordan Hofmeier | *Aquatic Ecologist*
Kansas Department of Wildlife and Parks
512 SE 25th Ave | Pratt, KS 67124
T: (620) 672-0798 | ksoutdoors.com
C: (785) 249-0874 | chickadeecheckoff.com

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Instagram-@kswildlifediversity

Rust, Zack [KDA]

From: Kathy Haynes <k.haynes@kcc.ks.gov>
Sent: Wednesday, February 2, 2022 3:57 PM
To: Rust, Zack [KDA]
Subject: RE: ECA 2022024

Follow Up Flag: Follow up
Flag Status: Flagged

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

A review of Conservation Division files failed to indicate any environmental concerns within the acreage described within this application.

In the event unexpected circumstances are encountered during construction, such as the discovery of abandoned oil, gas or exploratory holes or lead lines, the applicant should contact KCC district office at (316) 337-7400, so appropriate regulatory response can be made.

If you have any questions or concerns, please call me at (316) 337-6243.

Kathy Haynes
Department of Environmental Protection and Remediation



Conservation Division
Kansas Corporation Commission
266 N. Main Ste 220 | Wichita, KS | 67202-1513
Phone (316) 337-6243 | Fax (316) 337-6211 | <http://kcc.ks.gov/>

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From: Rust, Zack [KDA] <Zack.Rust@ks.gov>
Sent: Wednesday, February 02, 2022 9:12 AM
To: KDA DOC Office Assistant <KDA.DOC@ks.gov>; biosurvey@ku.edu; Kathy Haynes <k.haynes@kcc.ks.gov>; Klein, Andrew <ajklein@ksu.edu>; KSHS_Historic Preservation <KSHS.SHPO@ks.gov>; Environmental Services, KDWPT [KDWPT] <KDWPT.ess@ks.gov>; Scott Satterthwaite [KDHE] <Scott.Satterthwaite@ks.gov>
Cc: jgreen@klaenviro.com; bmeyer242@yahoo.com; Mathos, Sheila [KDA] <Sheila.Mathos@ks.gov>; Terhune, Andrew [KDA] <Andrew.Terhune@ks.gov>; Ketter, Ambrose [KDA] <Ambrose.Ketter@ks.gov>; regulatory.kanopolis@usace.army.mil
Subject: ECA 2022024

This is an EXTERNAL EMAIL. Think before clicking a link or opening attachments.

The Water Projects Environmental Coordination Act, K.S.A. 82a-325 to 327, requires this agency to provide seven other agencies in the state government an opportunity to review and comment on your application for a period of not less than 30 days. The environmental coordination process has been initiated, but a thorough review of your project may not yet have been performed. You will be informed of any changes that may be necessary to comply with our rules and regulations and any concerns or comments we receive from the environmental coordination agencies.

This letter does not provide any permission to begin the construction of your project. **Construction can begin only after written approval has been obtained from the Chief Engineer of this agency.** If you have any questions or comments please contact this office by writing or calling (785) 564-6678.

Notice No.: 2022024

Date of Notice: 2/2/2022

WS No.: DWS-0131

Expiration Date: 3/4/2022

Project No.: Meyer Irrigation Water Supply Dam

In and across an unnamed tributary to Coon Creek at a location in the SE 1/4 of the NE 1/4 of the NE 1/4 of Section 36, Township 04 South, Range 03 East, Washington County, Kansas.

<https://agriculture.ks.gov/eca-user-login>

<https://agriculture.ks.gov/divisions-programs/dwr/stream-and-floodplain-permits/environmental-coordination-notices>

Thank you,

Zack Rust
Water Structures Engineer
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
Phone: 785-564-6678
Email: zack.rust@ks.gov
<http://agriculture.ks.gov>

Rust, Zack [KDA]

From: Scott Satterthwaite [KDHE]
Sent: Thursday, March 3, 2022 1:32 PM
To: Rust, Zack [KDA]
Cc: Larry Hook [KDHE]; KDHE NEDO Administrators; Regulatory.kanopolis@usace.army.mil
Subject: RE: ECA 2022024 KS WQS for Water Quality Certification Meyer Irrigation Water Supply Dam construct In and across an unnamed tributary to Coon Creek WS
Attachments: ECA2022024 KWQS for WQC Meyer Fam Lnd, LLC new const. Irrigat Water Supply Dam trib to Coon Cr WS.doc

Mr. Rust,

KDHE has completed review of the information provided by KDA-DWR. Please find, as KDHE's comments per Water Projects ECA noted below, the attached Kansas Surface Water Quality Standards for Water Quality Certification for the referenced project. Please contact me if you have any questions. Thanks.

Best Regards,
Scott

Be Great, infiltrate...with healthy soils!

.....
PLEASE NOTE NEW INFORMATION BELOW:

Scott L. Satterthwaite
Kansas Department of Health and Environment
Bureau of Environmental Field Services, Watershed Management Section
1000 S.W. Jackson St., Suite 430 (NEW ROOM ADDRESS)
Topeka, KS 66612-1367
NEW EMAIL- Scott.Satterthwaite@ks.gov
Phone (785) 296-5573
(NEW FAX) FAX- 785-559-4258
Check out our web site! www.kdheks.gov/nps



From: Rust, Zack [KDA] <Zack.Rust@ks.gov>
Sent: Wednesday, February 2, 2022 9:12 AM
To: KDA DOC Office Assistant <KDA.DOC@ks.gov>; biosurvey@ku.edu; K.haynes@kcc.state.ks.us; Klein, Andrew <ajklein@ksu.edu>; KSHS_Historic Preservation <KSHS.SHPO@ks.gov>; Environmental Services, KDWPT [KDWPT] <KDWPT.ess@ks.gov>; Scott Satterthwaite [KDHE] <Scott.Satterthwaite@ks.gov>
Cc: jgreen@klaenviro.com; bmeyer242@yahoo.com; Mathos, Sheila [KDA] <Sheila.Mathos@ks.gov>; Terhune, Andrew [KDA] <Andrew.Terhune@ks.gov>; Ketter, Ambrose [KDA] <Ambrose.Ketter@ks.gov>;

regulatory.kanopolis@usace.army.mil

Subject: ECA 2022024

The Water Projects Environmental Coordination Act, K.S.A. 82a-325 to 327, requires this agency to provide seven other agencies in the state government an opportunity to review and comment on your application for a period of not less than 30 days. The environmental coordination process has been initiated, but a thorough review of your project may not yet have been performed. You will be informed of any changes that may be necessary to comply with our rules and regulations and any concerns or comments we receive from the environmental coordination agencies.

This letter does not provide any permission to begin the construction of your project. **Construction can begin only after written approval has been obtained from the Chief Engineer of this agency.** If you have any questions or comments please contact this office by writing or calling (785) 564-6678.

Notice No.: 2022024

Date of Notice: 2/2/2022

WS No.: DWS-0131

Expiration Date: 3/4/2022

Project No.: Meyer Irrigation Water Supply Dam

In and across an unnamed tributary to Coon Creek at a location in the SE 1/4 of the NE 1/4 of the NE 1/4 of Section 36, Township 04 South, Range 03 East, Washington County, Kansas.

<https://agriculture.ks.gov/eca-user-login>

<https://agriculture.ks.gov/divisions-programs/dwr/stream-and-floodplain-permits/environmental-coordination-notices>

Thank you,

Zack Rust

Water Structures Engineer

Kansas Department of Agriculture

1320 Research Park Drive

Manhattan, Kansas 66502

Phone: 785-564-6678

Email: zack.rust@ks.gov

<http://agriculture.ks.gov>

Division of Environment
Curtis State Office Building
1000 SW Jackson St., Suite 400
Topeka, KS 66612-1367



Phone: 785-296-1535
Fax: 785-559-4264
www.kdheks.gov

Janet Stanek, Acting Secretary

Laura Kelly, Governor

March 3, 2022

Mr. Zack Rust
Water Structures Engineer
Water Structures Program
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502

Kansas Surface Water Quality Standards for Water Quality Certification

RE: ECA 2022024: Project: New construction: Meyer Irrigation Water Supply Dam in and across an unnamed tributary to Coon Creek at a location in the SE 1/4 of the NE 1/4 of the NE 1/4 of Section 36, Township 4 South, Range 3 East, Washington County, Kansas. Applicant: Meyer Family Land, LLC, Ben Meyer, 1122 7th Rd, Linn, KS 66953.

Mr. Rust,

The Kansas Department of Health and Environment has been notified by your office of the opportunity to review and comment on the referenced project. Pursuant to KSA 82a-326(a)(4) and (b) of the Environmental Coordination Act, the Kansas Department of Health and Environment has reviewed the proposed project. The project is considered to be a water quality impacting action subject to the provisions of K.A.R. 28-16-28f(b). This regulation specifies:

"No action identified below shall be taken unless the department has issued a water quality certification for the following action:

- (1) any action requiring a federal license or permit pursuant to the federal clean water act;
- (2) any action subject to the permitting provisions of K.S.A. 65-165;
- (3) any water development project subject to the provisions of K.S.A. 82a-325 et. seq., as amended;
- (4) **any action undertaken by any Kansas state agency which in the opinion of the department, has a potential water quality impact."**

Mr. Rust (ECA 2022024)
March 3, 2022
Page 2 of 6

Please note: A programmatic (blanket) water quality certification (WQC) for KS Section 401 of the Clean Water Act was included with the Clean Water Act Section 404 Nationwide permits which may be issued by the Department of Army Corps of Engineers. However, said WQC does not contain the detail to ensure the applicant and all involved in the work to understand the value of water quality and aquatic resources in referenced unnamed tributary of Coon Creek, included in this letter.

Thus, KDHE has reviewed the project information and outcomes and has determined the project has the following potential water pollutant discharge sources:

1. Construction and excavation activities including grading and filling, equipment and materials storage, equipment fueling and maintenance, etc.
2. Significant riparian area disturbance

Discharges from these sources if not minimized or otherwise controlled may cause violations of the provisions of the Kansas Surface Water Quality Standards (KSWQS) found at K.A.R. 28-16-28 et seq. As referenced above, the project will impact the referenced unnamed tributary of Coon Creek **not described** in the Kansas Surface Water Register (KSWR). However, implementation water quality protection measures herein should ensure the potential for violations of narrative water quality standards or water quality complaints will be minimized.

Please note the Kansas Surface Water Quality Standard citations and locations within this document are subject to change without notice. For the most recent version, please see: <https://www.kdhe.ks.gov/1379/Planning-Standards-Unit>.

The KDHE has determined the project can avoid KS WQS violations and thus conditionally certifies it as the applicant adheres to the following:

- 1) **This certification shall be posted on site through the duration of the project.**
- 2) **KDHE Notification:** Permit recipients shall email KDHE at KDHE.NPS@ks.gov when construction starts.
- 3) Meyer Family Land, LLC shall avoid or control the discharge of suspended solids from construction activities so that the project does not cause:
 - a. Any surface waters of the state within and below the project area to have a public health hazard, nuisance condition or impairments of designed uses [K.A.R. 28-16-28e(b)(1)].
 - b. Any surface waters of the state within and below the project area to contain discarded solid material, including trash, garbage rubbish, offal, grass clippings, discarded building or construction materials, car bodies, tires, wire and other unwanted or discarded materials [K.A.R. 28-16-28e(b)(3)].

Mr. Rust (ECA 2022024)

March 3, 2022

Page 3 of 6

- c. Any surface waters of the state within and below the project to have floating debris, scum, foam, froth and other floating materials directly or indirectly attributable to the project [K.A.R. 28-16-28e(b)(4)].
 - d. Any surface waters of the state within or below the project to have of deposits of sludge or fine solids [K.A.R. 28-16-28e(b)(6)].
 - e. Alteration of the natural appearance of surface waters of the state within or below the project by the addition of color-producing or turbidity-producing substances of artificial origin [K.A.R. 28-16-28e(b)(8)].
- 4) Construction activities disturbing one acre or more, not under Section 404 jurisdiction, are subject to National Pollutant Discharge Elimination System (N.P.D.E.S.) stormwater permit requirements. Meyer Family Land, LLC shall obtain an Authorization to Discharge Under Construction Stormwater Runoff Kansas Water Pollution Control General Permit. For more information they shall contact Mr. Larry Hook, P.E., at 785/296-5549, larry.hook@ks.gov; Bureau of Water Permit and Compliance Section with any questions or visit KDHE's website: <https://www.kdhe.ks.gov/757/Construction-Stormwater-Program>. A Stormwater Pollution Prevention Plan (SWP2) is required by the above described permit and a copy shall be maintained and available at the site for inspection while also being available for submittal as requested by KDHE BWPC.
- 5) Meyer Family Land, LLC shall avoid or control the discharge of toxic substances, oil and grease and other fluids from riparian activities, so that the project does not cause:
 - a. Any surface waters of the state within and below the project area to have a public health hazard, nuisance condition or impairments of designed uses [K.A.R. 28-16-28e(b)(1)].
 - b. Surface waters of the state within and below the project area to have toxic substances, radioactive isotopes, and infectious microorganisms in concentrations or in combinations that jeopardize the public health or the survival or well-being of livestock, domestic animals, terrestrial wildlife or aquatic or semi-aquatic life [K.A.R. 28-16-28e(b)(2)].
 - c. Any surface waters of the state within and below the project area to have a visible oil and grease film or sheen on the water surface or on submerged substrate or adjoining shore lines, nor have a sludge or emulsion deposit below the water surface of adjoining shorelines [K.A.R. 28-16-28e(b)(5)].


- d. Any surface waters of the state within and below the project to contain taste and odor producing substances at concentrations which interfere with the production of potable water by conventional water treatment processes, impart an unpalatable flavor to edible aquatic or semi-aquatic life or terrestrial wildlife or that result in noticeable odors in the vicinity [K.A.R. 28-16-28e(b)(7)].
- 6) Meyer Family Land, LLC shall avoid or control the discharge of plant nutrients from fertilizer application or restorative vegetative treatment so that the project does not cause:
- a. Any surface waters of the state within and below the project area to have a public health hazard, nuisance condition or impairments of designed uses [K.A.R. 28-16-28e(b)(1)].
 - b. Surface waters of the state within and below the project area to have toxic substances, radioactive isotopes, and infectious microorganisms in concentrations or in combinations that jeopardize the public health or the survival or well-being of livestock, domestic animals, terrestrial wildlife or aquatic or semi-aquatic life [K.A.R. 28-16-28e(b)(2)].
 - c. Any surface waters of the state within and below the project area to have a visible oil and grease film or sheen on the water surface or on submerged substrate or adjoining shore lines, nor have a sludge or emulsion deposit below the water surface of adjoining shorelines [K.A.R. 28-16-28e(b)(5)].
- 7) Meyer Family Land, LLC shall prepare a **written project water quality protection plan (PWQPP) to address conditions 3. through 6. above:**
- a. If one or more acres are disturbed the Stormwater Pollution Prevention (SWP2) Plan per Condition 4. will suffice as the PWQPP. It shall be kept on site.
 - b. This SWP2 plan should include the following measures to further protect the referenced unnamed tributary of Coon Creek:
 - i. Fertilizer application and riparian areas: Fertilizer application for temporary erosion control on the construction site shall be done in a manner that does not allow it to leave the treated area.
 - ii. Erosion and sediment control: Maintain practices to minimize or avoid soil loss and sedimentation.
 - iii. Solid Waste: All waste materials produced by the construction project shall be disposed of in accordance with the provisions of the Kansas solid waste management statutes and regulations (K.S.A. 65-3401 and K.A.R. 28-29-1 et. seq.) or applicable local rules. Good housekeeping including personal refuse such as food containers, sacks etc. shall also be addressed.

- iv. Construction shall be done in a manner that avoids downstream bank instability.
 - v. Floating Debris: The applicant shall take appropriate measures to capture any floating debris released to surface waters as a result of this project.
 - vi. Materials used to stabilize stream berms or banks shall be free of pollutants which can wash or leach into waters of the state.
 - vii. Concrete wash water or excess grout shall be disposed of in a manner that does not allow a discharge to the waters of the state.
 - viii. Fuels, Chemicals and Maintenance Areas: All fuels and chemicals necessary to complete the project shall be stored in such a manner that accidental spillage is minimized or can be temporarily contained before reaching the water body. Equipment maintenance areas shall also be located in this manner.
 - ix. Spills: Should a spill of fuel or discharge of pollutants occur the local emergency staff should be contacted first by dialing 911. The Kansas Department of Health and Environment shall then be notified immediately: (785) 291-3333 (24 hours a day.) These incidences should also be reported to the National Spill Response Center (1-800-424-8802). Hazardous materials spills and air releases that meet federal reportable quantities must also be reported to Kansas Division of Emergency Management (800-275-0297)." A Spill Prevention and Response Plan should be prepared. This should include reportable quantity limits (see www.kansas.gov/kdem).
- 8) This certification does not relieve Meyer Family Land, LLC of their responsibility for any discharge into waters of the state. The Kansas Department of Health and Environment retains the option of revoking or revising this certification any time an inappropriate discharge may occur. As provided by K.S.A. 65-171(f), failure to comply with the conditions of this certification may subject the responsible party to fines up to \$10,000 per violation with each day the violation occurs constituting a separate violation.
- 9) If Meyer Family Land, LLC believes complying with the conditions of this water quality certification will be economically unfeasible, they can seek a variance. Entities or persons seeking a variance from any of the requirements indicated above shall submit to the secretary, in writing, a request for the variance and shall provide information and data relevant to the variance request for KDHE's review and consideration for approval while adhering to WQS (KAR 28-16-28b to 28-16-28h).

Mr. Rust (ECA 2022024)
March 3, 2022
Page 6 of 6

Finally, questions concerning this certification may be directed to Mr. Scott Satterthwaite, 785-296-5573 or by email to: Scott.Satterthwaite@ks.gov.

Sincerely,



Scott L. Satterthwaite, M.S.
Environmental Specialist, KDHE B.E.F.S

ECc: KDHE: NEDO, Hook
Regulatory.kansascity@usace.army.mil

Rust, Zack [KDA]

From: Hemphill, Lloyd [KDA]
Sent: Wednesday, February 2, 2022 11:50 AM
To: Rust, Zack [KDA]
Subject: FW: ECA 2022024

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hello Zack,

I just want to let you know that I have been working with the owner and engineer to get an irrigation application filed for this project. They have not submitted the application yet, but hopefully soon.

Let me know if you have any questions.

Thanks,
Lloyd

Lloyd Hemphill
Topeka Field Office

From: Ketter, Ambrose [KDA] <Ambrose.Ketter@ks.gov>
Sent: Wednesday, February 2, 2022 10:20 AM
To: Hemphill, Lloyd [KDA] <Lloyd.Hemphill@ks.gov>
Subject: FW: ECA 2022024

From: Rust, Zack [KDA] <Zack.Rust@ks.gov>
Sent: Wednesday, February 2, 2022 9:12 AM
To: KDA DOC Office Assistant <KDA.DOC@ks.gov>; biosurvey@ku.edu; K.haynes@kcc.state.ks.us; Klein, Andrew <ajklein@ksu.edu>; KSHS_Historic Preservation <KSHS.SHPO@ks.gov>; Environmental Services, KDWP [KDWP] <KDWP.ess@ks.gov>; Scott Satterthwaite [KDHE] <Scott.Satterthwaite@ks.gov>
Cc: jgreen@klaenviro.com; bmeyer242@yahoo.com; Mathos, Sheila [KDA] <Sheila.Mathos@ks.gov>; Terhune, Andrew [KDA] <Andrew.Terhune@ks.gov>; Ketter, Ambrose [KDA] <Ambrose.Ketter@ks.gov>; regulatory.kanopolis@usace.army.mil
Subject: ECA 2022024

The Water Projects Environmental Coordination Act, K.S.A. 82a-325 to 327, requires this agency to provide seven other agencies in the state government an opportunity to review and comment on your application for a period of not less than 30 days. The environmental coordination process has been initiated, but a thorough review of your project may not yet have been performed. You will be informed of any changes that may be necessary to comply with our rules and regulations and any concerns or comments we receive from the environmental coordination agencies.

This letter does not provide any permission to begin the construction of your project. **Construction can begin only after written approval has been obtained from the Chief Engineer of this agency.** If you have any questions or comments please contact this office by writing or calling (785) 564-6678.

Notice No.: 2022024

Date of Notice: 2/2/2022

WS No.: DWS-0131

Expiration Date: 3/4/2022

Project No.: Meyer Irrigation Water Supply Dam

In and across an unnamed tributary to Coon Creek at a location in the SE 1/4 of the NE 1/4 of the NE 1/4 of Section 36, Township 04 South, Range 03 East, Washington County, Kansas.

<https://agriculture.ks.gov/eca-user-login>

<https://agriculture.ks.gov/divisions-programs/dwr/stream-and-floodplain-permits/environmental-coordination-notices>

Thank you,

Zack Rust
Water Structures Engineer
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
Phone: 785-564-6678
Email: zack.rust@ks.gov
<http://agriculture.ks.gov>

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., 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. 50,713** of the applicant

MEYER FAMILY LAND LLC
1122 7TH ROAD
LINN KS 66953

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 **February 4, 2022**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec. Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
36 - 4S - 3E		37	37		40	23	40	40	40	40			40	40	40	40	457
1 - 5S - 3E	Lot 2 37	Lot 2 37	Lot 1 40	Lot 1 40													154

3. That the appropriation sought shall be limited to all natural flows of an unnamed tributary, identified in the office of the Chief Engineer as Coon Creek Trib 1A (Little Blue River Basin), not needed to satisfy all vested rights and prior appropriation rights to be incrementally accumulated as reservoir storage space becomes available to a maximum extent of **586 acre-feet** per calendar year in a reservoir created by a dam located in the Southeast Quarter of the Northeast Quarter of the Northeast Quarter (SE¼ NE¼ NE¼) of Section 36, more particularly described as being near a point 4,260 feet North and 430 feet West of the Southeast corner of said section, in Township 4 South, Range 3 East, in Washington County, Kansas, located substantially as shown on the topographic map accompanying the application, to provide **586 acre-feet** of water per calendar year as needed for direct irrigation use to be withdrawn, released or otherwise diverted from the reservoir at a re-diversion rate of approximately **1,200 gallons per minute (2.67 c.f.s.)**. A reasonable maximum re-diversion rate will be established during the perfection period and assigned at certification.

4. That the structure creating the above referenced reservoir has been assigned Division of Water Resources Structures Permit No. DWS-0131.

5. That installation of works for diversion of water shall be completed on or before **December 31, 2024**, 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, 2028**, 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 re-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 an acceptable water flow meter shall be installed and maintained on the re-diversion works authorized by this permit in accordance with Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water flow meters 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).

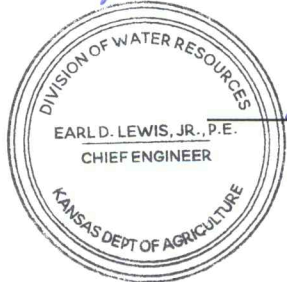
13. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure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

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

15. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

16. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

Ordered this 19th day of April, 2023, in Manhattan, Riley County, Kansas.



Earl D. Lewis Jr.
Earl D. Lewis Jr., P.E.
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 18 day of April, 2023, by Earl D. Lewis, Jr., P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

Melinda Jennings
Notary Public



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

April 24, 2023

MEYER FAMILY LAND LLC
1122 7TH ROAD
LINN KS 66953

RE: Appropriation of Water
File No. 50,713

Dear Applicant:

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

Notice must be filed on the enclosed form 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 this permit. If you need an extension of time, you must request it before the deadline for completion set forth in the permit. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00.

An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year. If a complete annual water use report is 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 report online at www.kswaterusereport.org.

The approval of your application constitutes a permit 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.

Also included is an informational sheet that sets forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your perfected water right. Additional information and applicable forms may be found on our website at agriculture.ks.gov/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 Applications and Changes Supervisor
Division of Water Resources

KAB: kjn
Enclosure(s)

pc: Benjamin & Gregory Meyer
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 request an evidentiary hearing before the Chief Engineer, or 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 Division, 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 review 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 24 day of April, 2023, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,713, dated April 18, 2023, was mailed postage prepaid, first class, US mail to the following:

MEYER FAMILY LAND LLC
1122 7TH ROAD
LINN KS 66953

With photocopies to:

BENJAMIN & GREGORY MEYER
1122 NATIONAL ROAD
WASHINGTON KS 66968

Topeka Field Office



Division of Water Resources