

# THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Mike Beam, Secretary of Agriculture

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

51471

File Number

This item to be completed by the Division of Water Resources.

## APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

Filing Fee Must Accompany the Application  
(Please refer to Fee Schedule attached to this application form.)

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

1. Name of Applicant (Please Print): A & S Land Holdings LLC (Scott Meredith) (email: scottmeredith@kw.com)  
Address: 101 Bunch Rd  
City: Jackson State GA Zip Code 30233  
Telephone Number: (270) 791-2538
2. The source of water is: ☒ surface water in Labette Creek (stream)  
OR ☐ groundwater in \_\_\_\_\_ (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources. Top of Dike Storage Volume = 33.4 ac-ft. The maximum quantity requested is three (3) times the auxiliary spillway volume.

3. The maximum quantity of water desired is 100 acre-feet OR \_\_\_\_\_ gallons per calendar year,  
to be diverted at a maximum rate of 5,000 gallons per minute OR \_\_\_\_\_ cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for (Check use intended):
- |  |  |  |   |
|--|--|--|---|
| (a) <input type="checkbox"/> Artificial Recharge | (b) <input type="checkbox"/> Irrigation                | (c) <input checked="" type="checkbox"/> Recreational | (d) <input type="checkbox"/> Water Power      |
| (e) <input type="checkbox"/> Industrial          | (f) <input type="checkbox"/> Municipal                 | (g) <input type="checkbox"/> Stockwatering           | (h) <input type="checkbox"/> Sediment Control |
| (i) <input type="checkbox"/> Domestic            | (j) <input type="checkbox"/> Dewatering                | (k) <input type="checkbox"/> Hydraulic Dredging      | (l) <input type="checkbox"/> Fire Protection  |
| (m) <input type="checkbox"/> Thermal Exchange    | (n) <input type="checkbox"/> Contamination Remediation |  |   |

YOU **MUST** COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

### For Office Use Only:

F.O. 1 GMD - Meets K.A.R. 5-3-1 (YES/NO) Use REC Source G/S County LB By KJN Date 4/18/25  
Code REG Fee \$ 200 TR # PY2504P3L42 Receipt Date 04/11/2025 Check # \_\_\_\_\_

5. The location of the proposed wells, pump sites or other works for diversion of water is:

**Note:** For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land. (A) - Proposed Pump Site (Direct Diversion)

- (A) One in the NW quarter of the NE quarter of the SE quarter of Section 22, more particularly described as being near a point 2.635 feet North and 1.228 feet West of the Southeast corner of said section, in Township 32 South, Range 20 East, Labette County, Kansas.
- (B) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_, \_\_\_\_\_ County, Kansas.
- (C) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_, \_\_\_\_\_ County, Kansas.
- (D) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_, \_\_\_\_\_ County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

6. The owner of the point of diversion, if other than the applicant is (please print):

\_\_\_\_\_  
(name, address and telephone number)

\_\_\_\_\_  
(name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 3, 2025.

Scott Meredith  
Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

7. The proposed project for diversion of water will consist of one (1) direct diversion pump site  
(number of wells, pumps or dams, etc.)  
and will be completed (by) following approval  
(Month/Day/Year - each was or will be completed)
8. The first actual application of water for the proposed beneficial use was or is estimated to be following approval  
(Mo/Day/Year)



9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?

☐ Yes ☒ No If "yes", a check valve shall be required.

All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources? ☒ Yes ☐ No

- If yes, show the Water Structures permit number here Floodplain fill permit pending
- If no, explain here why a Water Structures permit is not required \_\_\_\_\_

11. The application must be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within ½ mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within ½ mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

None

File No. \_\_\_\_\_

13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from: ☐ Test holes ☐ Well as completed ☐ Drillers log attached

Well location as shown in paragraph

No. (A) (B) (C) (D)

Date Drilled

Total depth of well

Depth to water bearing formation

Depth to static water level

Depth to bottom of pump intake pipe

14. The relationship of the applicant to the proposed place where the water will be used is that of owner  
(owner, tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

\_\_\_\_\_  
(name, address and telephone number)

\_\_\_\_\_  
(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at \_\_\_\_\_, Kansas, this 3 day of April 2025  
(month) (year)

  
(Applicant Signature)

By \_\_\_\_\_  
(Agent or Officer Signature)

\_\_\_\_\_  
(Agent or Officer - Please Print)

Assisted by Brian Severin, P.E. Eocene Environmental Group Date: 3/28/2025  
(office/title)

## Romine, Deidre [KDA]

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**From:** Janelle Phillips [KDA]  
**Sent:** Friday, April 4, 2025 3:11 PM  
**To:** Deidre Romine [KDA]  
**Subject:** FW: A & S Land Holdings LLC - As Constructed Wetland Development - Design & Permit Applications  
**Attachments:** A&S Land Holdings\_Design Report\_PE Stamped.pdf; A&S Land Holdings\_DWR 1\_100\_Direct Diversion\_Print.pdf; A&S Land Holdings\_DWR 2-200\_Print.pdf; A&S Land Holdings\_Application Signature Pages.pdf; A&S Land Holdings\_Floodplain Analysis\_Water Resources Solutions\_SEALED.pdf

App for LLB-0127 please call Scott Meredith for payment \$600

Janelle Phillips, P.E.  
Water Structures Team Lead  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan KS 66502  
785-564-6656 - office  
785-307-8292 – cell  
Janelle.phillips@ks.gov

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**From:** Severin, Brian <BSeverin@eocene.com>  
**Sent:** Friday, April 4, 2025 3:06 PM  
**To:** Janelle Phillips [KDA] <Janelle.Phillips@ks.gov>  
**Cc:** Scott Meredith <scottmeredith@kw.com>  
**Subject:** A & S Land Holdings LLC - As Constructed Wetland Development - Design & Permit Applications

**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.

Janelle-

Good afternoon! I have attached the design report and DWR permit applications for the A & S Land Holdings LLC As Constructed Wetland Development in Labette County. This project was constructed within ¼ mile of DWR permitted floodplain fills. Therefore, Eocene partnered with Water Resources Solutions, LLC to complete a HEC-RAS floodplain analysis. Their floodplain analysis report is also attached.

The landowner will contact DWR separately to pay for the permit application fees. Please let me know if you have questions or need additional information. Thank you!

**Brian Severin, P.E.**  
**Director of Technical Services, Sustainability Division**

**Eocene Environmental Group**

5930 Grand Avenue, West Des Moines, Iowa 50266  
**MOBILE** 785.207.0201



# A & S Land Holdings LLC

## Wetland Development (As Constructed)

January 21, 2025

**Prepared By:**

Brian W. Severin, P.E.

Director of Technical Services

[bseverin@eocene.com](mailto:bseverin@eocene.com)

785.207.0201



# Design Report

## Project Information

- Name: A & S Land Holdings LLC
- Practice: Wetland Development (As Constructed)
- Legal: SE 1/4 Section 22, Township 32 South; Range 20 East
- Location: Labette County, Kansas

## Project Description

The project is located along and within the floodplain of Labette Creek. The wetland development includes two low-level dikes with water control structures. The dike structures were constructed July – August 2023 (prior to securing permits). The dikes create additional water storage and diverse topography within the degraded wetland area. The dikes increase water storage capacity and maintain hydrology at times throughout the year. The project will not hydraulically affect adjacent landowners, as the permanent pools will be confined to the landowner's property.

## Survey

The project area was surveyed by Matt Miller, Engineering Technician, Eocene Environmental Group using survey grade GPS equipment. The survey data was collected in the Kansas State Plane, Zone South coordinate system. The project is tied to permanent benchmarks labeled and described on the Plan Sheets. LiDAR topographic data was compared to the survey data and elevation corrected for planning and design use.

## Construction

Dike 1 is constructed as a closed wetland cell with the contributing hydrology being direct rainfall and seasonal flood events. The drainage / top of dike area for Dike 1 is 20.4 acres. Dike 2 is constructed across a natural field drainage with the contributing hydrology being direct rainfall, overland flow runoff, and seasonal flood events. The drainage area for Dike 2 is approximately 15 acres. Since the dikes are located within the floodplain, they were constructed with a minimum profile and are expected to overtop during flood events. The dikes were constructed with good compaction and properly finished. There are no construction deficiencies that could result in future dike damage or failure. The dikes and other construction areas have been established to permanent vegetation. Average annual rainfall and seasonal flooding is expected to maintain wetland hydrology in the cells at most times throughout the year. However (permit pending), the cells will be supplemented with pumped surface water from Labette Creek.

## Permitting and Permissions

The following permits will be required for the as constructed dikes and operation activities. Pertinent information for the permits has been supplied on the permit applications.

- Kansas Department of Agriculture, Division of Water Resources: DWR 1-100 Water Appropriation for Beneficial Use (Direct Diversion – Pump Site)
- Kansas Department of Agriculture, Division of Water Resources: DWR 2-200 Floodplain Fill
  - The as constructed wetland project will require a variance to K.A.R 5-45-12. Levees and floodplain fills; setback. Portions of Dike 1 do not meet the required 100-ft setback from the adjacent creek bank. See plan sheets for additional detail.

Dike 1 (Sta 26+50 – 27+00) averages 75 feet of setback from the creek bank, with the closest setback distance being 70 feet (Sta 26+65). Dike 1 (Sta 40+00 – 44+00) averages 40 feet of setback from the creek bank, with the closest setback distance being 15 feet (Sta 42+00). The creek bank is stable and vegetated. Google Earth imagery over the past 20+ years shows little to no erosion and/or advancement of the creek bank.

## **Appendix**

The attached Appendix includes Plan Sheets, KDA-DWR Report, and Permit Documentation.



## KDA – Division of Water Resources (DWR) Report

### Direct Diversion

A pumping site is proposed to control and maintain the wetland hydrology. The pumping site will be located as shown on the plan sheets, with the water source being Labette Creek. Therefore, a Water Appropriation for Beneficial Use (Direct Diversion) permit will be required.

### Surface Water Storage

The Potential Net Evaporation (Annual Average Evaporation minus Annual Normal Precipitation) for the project location is 6 inches. The net storage for Dike 1 and Dike 2 was analyzed from the top of dike elevation. Neither dike has a constructed auxiliary spillway. Instead, they rely on installed water control structures to maintain freeboard and manage the water level within the wetland cells. The Total Storage + Net Evaporation for Dike 1 is greater than 15 ac-ft. However, the cell is completely closed and does not receive overland flow runoff. The Total Storage + Net Evaporation for Dike 2 is less than 15 ac-ft. Therefore, a DWR Water Appropriation for Beneficial Use (Storage) permit will not be required for either dike.

Dike 1 Stage Storage Table

Elevation (ft)	Area (ac)	Total Storage (ac-ft)	Total Storage + Net Evaporation (ac-ft)
835.5	0.00	0.00	0.00
836.0	0.07	0.02	0.05
836.5	0.22	0.0	0.20
837.0	0.71	0.33	0.68
837.5	2.85	1.21	2.64
838.0	13.24	5.24	11.86
838.5	17.90	13.02	21.97
839.0	19.80	22.45	32.35
839.5 (Top of Dike)	20.39	32.49	42.69

Dike 2 Stage Storage Table

Elevation (ft)	Area (ac)	Total Storage (ac-ft)	Total Storage + Net Evaporation (ac-ft)
833.0	0.00	0.00	0.00
833.5	0.02	0.01	0.01
834.0	0.11	0.04	0.09
834.5	0.33	0.15	0.31
835.0	0.67	0.40	0.73
835.5 (Top of Dike)	1.24	0.88	1.50

## Base Flood Analysis

The project is located within the FEMA Zone A flood boundary of Labette Creek. Therefore, a floodplain fill permit will be required. There are DWR permitted floodplain fills located within ¼ mile from the constructed dikes. Therefore, a hydrologic base flood analysis is required for floodplain fill permitting. Eocene has contracted Water Resources Solutions, LLC to complete the hydrologic base flood analysis.

## Romine, Deidre [KDA]

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**From:** Janelle Phillips [KDA]  
**Sent:** Friday, April 4, 2025 3:11 PM  
**To:** Deidre Romine [KDA]  
**Subject:** FW: A & S Land Holdings LLC - As Constructed Wetland Development - Design & Permit Applications  
**Attachments:** A&S Land Holdings\_Design Report\_PE Stamped.pdf; A&S Land Holdings\_DWR 1\_100\_Direct Diversion\_Print.pdf; A&S Land Holdings\_DWR 2-200\_Print.pdf; A&S Land Holdings\_Application Signature Pages.pdf; A&S Land Holdings\_Floodplain Analysis\_Water Resources Solutions\_SEALED.pdf

App for LLB-0127 please call Scott Meredith for payment \$600

Janelle Phillips, P.E.  
Water Structures Team Lead  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan KS 66502  
785-564-6656 - office  
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The landowner will contact DWR separately to pay for the permit application fees. Please let me know if you have questions or need additional information. Thank you!

**Brian Severin, P.E.**  
**Director of Technical Services, Sustainability Division**

**Eocene Environmental Group**

5930 Grand Avenue, West Des Moines, Iowa 50266  
**MOBILE** 785.207.0201





## Application for Permit

K.S.A. 82a-301-305a Dams, Stream Obstructions and Channel Changes

K.S.A. 24-126 Levees and Floodplain Fills

Use this form to apply for a Division of Water Resources permit to construct or modify a dam, stream obstruction, channel change, levee or floodplain fill. Refer to K.A.R. 5-40 through 5-46 for requirements and definitions.

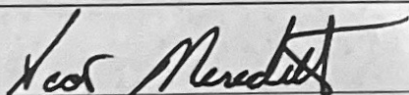
Send the completed application, worksheet (if applicable), required fees and plans and other materials listed in K.A.R. 5-40-1 through 5-43-5 or K.A.R. 5-45-1 through 5-45-18 to:

**Kansas Department of Agriculture**  
**Division of Water Resources – Water Structures**  
**1320 Research Park Drive**  
**Manhattan, KS 66502**

Land Owner Information			
Owner Name: A & S Land Holdings LLC		Contact name: Scott Meredith	
Mailing Address: 101 Bunch Rd			
City/State: Jackson, Georgia		Zip Code: 30233	
Telephone: 270-791-2538		Email (required): scottmeredith@kw.com	
Is the project or activity located entirely on property owned by the permit applicant? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach a document listing the names and mailing addresses for all landowners located within the project.			
Applicant Information (if different than owner)			
Applicant Name:		Title:	
Mailing Address:			
City/State:		Zip Code:	
Telephone:		Email (required):	
Designer Information			
Firm/Agency: Eocene Environmental Group			
Contact Name: Brian W. Severin, P.E.		Title: Director of Technical Services	
Mailing Address: 1416 Presby Dr			
City/State: Emporia, Kansas		Zip Code: 66801	
Telephone: 785-207-0201		Email (required): bseverin@eocene.com	
Project Location and Description			
County: Labette		Stream Name: Labette Creek	
Legal:	Qtr of the	Qtr of the SE Qtr	Section: 22 Township(S): 32 S Range(E/W): 20 E
Project or site name: A & S Land Holdings LLC			
Project description and purpose:			
Shallow wetland dikes for the purpose of seasonally impounding water and restoring wetland characteristics.			
Drainage area above the project:		35.4 (2 cells)	acres
		0.055	square miles
Area of disturbance (trees and/or vegetation)		constructed	acres
			square miles

For office use only	WSN: LLB-0127 (ATF)		ECA: 2025115	
Code FLI	Fee \$ 600.00	TR# PY2504C933Q	Rept Date	CC# XXX #PY2504C933Q

Schedule		
Planned or actual <b>start</b> date (start of construction, clearing, excavation or fill)	constructed July / August 2023	
Planned or actual <b>completion</b> date (end of construction, stabilization of site)	construction complete / dikes stabilized with grass	
Construction, excavation and fill will be halted and the Kansas State Historical Society will be contacted when historical sites or artifacts are encountered.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Project Activities and Fee Determination		
Project Activity (check all that apply)	Permit Fee	
<input type="checkbox"/> Construct, modify or repair a dam	\$200	
<input type="checkbox"/> Construct, modify or repair a stream obstruction		
<input type="checkbox"/> Construct or repair a channel change		
<input type="checkbox"/> Excavate or dredge within the banklines of a stream		
Drainage area $\leq$ 5 square miles <input type="checkbox"/>	\$100	
Drainage area between 5 and 50 square miles <input type="checkbox"/>	\$200	
Drainage area $\geq$ 50 square miles <input type="checkbox"/>	\$500	
	Pre-construction	Post-construction
<input type="checkbox"/> Construct, modify or repair a class A levee (see K.A.R. 5-45-8 for definition)	\$100	\$200
<input type="checkbox"/> Construct, modify or repair a class B levee	\$300	\$600
<input type="checkbox"/> Construct, modify or repair a class C levee	\$500	\$1,000
<input type="checkbox"/> Place fill in a mapped floodway fringe (Zone AE with defined floodway)	\$100	\$200
<input checked="" type="checkbox"/> Place fill in a mapped floodplain with no defined floodway (e.g. Zone A, AE, AH, AO)	\$300	\$600
<input type="checkbox"/> Place fill in an unmapped floodplain (see K.A.R. 5-45-1(i))	\$300	\$600
<input type="checkbox"/> Place fill in a mapped floodway (Zone AE floodway)	\$500	\$1,000
<input type="checkbox"/> This project qualifies for a General Permit (attach worksheet DWR 2-190) (pipeline/cable crossing, or bridge/culvert replacement)	\$100	
The total permit fee required will be the general permit fee if applicable, OR the highest individual fee for the project activities checked above. Make checks payable to <b>Kansas Department of Agriculture</b>	<b>\$600</b> Amount enclosed:	
Signature		
Application is hereby made for written consent or permit of the Chief Engineer, Division of Water Resources, for the project described above. By signing below, I certify that the information contained in this application is true, correct and complete, and that I am the owner or I am authorized by the owner to make this application for permit.		
Signature:	Name (print or type): <b>Scott Meredith</b>	
	Date:	

<b>Schedule</b>		
Planned or actual <b>start</b> date (start of construction, clearing, excavation or fill)	constructed July / August 2023	
Planned or actual <b>completion</b> date (end of construction, stabilization of site)	construction complete / dikes stabilized with grass	
Construction, excavation and fill will be halted and the Kansas State Historical Society will be contacted when historical sites or artifacts are encountered.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Project Activities and Fee Determination</b>		
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<input type="checkbox"/> Construct, modify or repair a dam	\$200	
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<input type="checkbox"/> Excavate or dredge within the banklines of a stream		
Drainage area $\leq$ 5 square miles <input type="checkbox"/>	\$100	
Drainage area between 5 and 50 square miles <input type="checkbox"/>	\$200	
Drainage area $\geq$ 50 square miles <input type="checkbox"/>	\$500	
	Pre-construction	Post-construction
<input type="checkbox"/> Construct, modify or repair a class A levee (see K.A.R. 5-45-8 for definition)	\$100	\$200
<input type="checkbox"/> Construct, modify or repair a class B levee	\$300	\$600
<input type="checkbox"/> Construct, modify or repair a class C levee	\$500	\$1,000
<input type="checkbox"/> Place fill in a mapped floodway fringe (Zone AE with defined floodway)	\$100	\$200
<input checked="" type="checkbox"/> Place fill in a mapped floodplain with no defined floodway (e.g. Zone A, AE, AH, AO)	\$300	\$600
<input type="checkbox"/> Place fill in an unmapped floodplain (see K.A.R. 5-45-1(i))	\$300	\$600
<input type="checkbox"/> Place fill in a mapped floodway (Zone AE floodway)	\$500	\$1,000
<input type="checkbox"/> This project qualifies for a General Permit (attach worksheet DWR 2-190) (pipeline/cable crossing, or bridge/culvert replacement)	\$100	
The total permit fee required will be the general permit fee if applicable, OR the highest individual fee for the project activities checked above. Make checks payable to <b>Kansas Department of Agriculture</b>	\$600 Amount enclosed:	
<b>Signature</b>		
Application is hereby made for written consent or permit of the Chief Engineer, Division of Water Resources, for the project described above. By signing below, I certify that the information contained in this application is true, correct and complete, and that I am the owner or I am authorized by the owner to make this application for permit.		
Signature: 	Name (print or type): Scott Meredith	
	Date: 4/3/25	

# Payment Receipt

Payment Id  
PY2504C933Q

Payment Date  
4/4/2025



1320 Research Park Drive  
Manhattan, KS 66502  
(785) 564-6700 | Fax: (785) 564-7490  
<http://agriculture.ks.gov/>

Customer  
Scott Meredith (scottmeredith@kw.com)

#	Item	Amount
1	FILLS/LEVY PERMIT-INPROGRS	\$600.00
Total		\$600.00

Thank you for your payment.

Generated: 04/04/2025 15:29:09

## Romine, Deidre [KDA]

---

**From:** Janelle Phillips [KDA]  
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**To:** Deidre Romine [KDA]  
**Subject:** FW: A & S Land Holdings LLC - As Constructed Wetland Development - Design & Permit Applications  
**Attachments:** A&S Land Holdings\_Design Report\_PE Stamped.pdf; A&S Land Holdings\_DWR 1\_100\_Direct Diversion\_Print.pdf; A&S Land Holdings\_DWR 2-200\_Print.pdf; A&S Land Holdings\_Application Signature Pages.pdf; A&S Land Holdings\_Floodplain Analysis\_Water Resources Solutions\_SEALED.pdf

App for LLB-0127 please call Scott Meredith for payment \$600

Janelle Phillips, P.E.  
Water Structures Team Lead  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan KS 66502  
785-564-6656 - office  
785-307-8292 – cell  
Janelle.phillips@ks.gov

---

**From:** Severin, Brian <BSeverin@eocene.com>  
**Sent:** Friday, April 4, 2025 3:06 PM  
**To:** Janelle Phillips [KDA] <Janelle.Phillips@ks.gov>  
**Cc:** Scott Meredith <scottmeredith@kw.com>  
**Subject:** A & S Land Holdings LLC - As Constructed Wetland Development - Design & Permit Applications

*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.

Janelle-

Good afternoon! I have attached the design report and DWR permit applications for the A & S Land Holdings LLC As Constructed Wetland Development in Labette County. This project was constructed within ¼ mile of DWR permitted floodplain fills. Therefore, Eocene partnered with Water Resources Solutions, LLC to complete a HEC-RAS floodplain analysis. Their floodplain analysis report is also attached.

The landowner will contact DWR separately to pay for the permit application fees. Please let me know if you have questions or need additional information. Thank you!

**Brian Severin, P.E.**  
**Director of Technical Services, Sustainability Division**

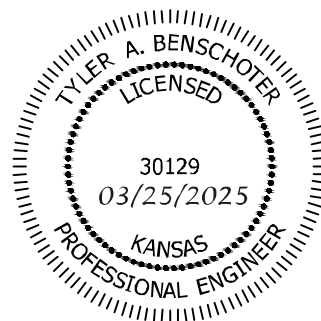
**Eocene Environmental Group**

5930 Grand Avenue, West Des Moines, Iowa 50266  
**MOBILE** 785.207.0201

# A&S Land Holdings LLC FLOODPLAIN ANALYSIS



PREPARED FOR FIVE WISE INVESTMENTS, LLC  
MARCH 25, 2025  
SUBMITTED BY: WATER RESOURCES SOLUTIONS



# SUMMARY

---

A hydraulic analysis of two dikes constructed along Labette Creek, in Labette County Kansas as part of the A&S Land Holdings LLC Wetland Development project demonstrates that the dikes are expected to result in no more than a 0.12-foot rise in water surface elevation versus modeling results from the current conditions. The dikes designed for this project were evaluated using US Army

Corps of Engineers (USACE) Hydraulic Engineering Center River Analysis System (HEC-RAS) Version 6.6. The hydraulic model created for this project was based on an update of the Lower Neosho Watershed Basin 11 Base Level Engineering model received from the Kansas Department of Agriculture.

# INTRODUCTION

---

The A & S Land Holdings LLC Wetland Development Project was designed by Eocene Environmental Group for A & S Land Holdings LLC. The goal of the project is to create additional water storage and diverse topography within the degraded wetland area. For the impoundment of water, two low-level dikes were constructed from July – August 2023. Design plans for those dikes were submitted with documentation to meet permitting requirements of the Kansas Department of Agriculture (KDA), Division of Water Resources (DWR). There are DWR floodplain fills within ¼ mile of the as constructed wetland location, so a hydraulic analysis was needed. The existing floodplain fills LLB-0052 have been in place for several years and are visible on current lidar. This hydraulic analysis demonstrates whether base flood elevation increases by 1 foot or more will occur for the 100-yr storm.

To satisfy the permitting requirements, the proposed new dikes were modeled to ensure that the construction meets the hydraulic impact requirements DWR sets in the Kansas Administrative Regulations. This report details the modeling procedure and results to demonstrate the structures meet the division's requirements. DWR requires that any levee or fill within an established floodplain cause no increase in the design or base flood profiles or more than 1 foot at any point outside the floodway, that it causes no increase at all in the elevation of the design and base flood profiles within the floodway, and that it causes no cumulative increase of more than 1 foot in the elevation of the design and base flood profiles.

# PROJECT AREA DESCRIPTION

The project is located along and within the floodplain of Labette Creek in Labette County, Kansas, about 7.65 miles Southeast of Parsons and about 39.5 miles west and slightly north of Joplin, MO. The wetland development includes two-level dikes with water control structures (Figure 1). The dikes will create additional water storage and create diverse topography within the degraded wetland area. The dikes increase water storage capacity and maintain hydrology at times throughout the year. The project will not hydraulically affect the adjacent landowners, as the permanent pools will be confined to the landowner's property. The resulting impoundment is supplied by direct rainfall, overland flow

runoff, and seasonal flood events. The cells will be supplemented with pumped surface water from Labette Creek, this will require a separate permit which has not been acquired yet. The drainage area for Dike 1 is 20.4 acres and Dike 2 is constructed across a natural field drainage and covers an area of 1.24 acres (Figure 2).

The low-level dikes are designed with the expectation that they will overtop during flood events. The structures are designed with minimum profiles and good compaction to reduce damage during these events. The project location map including the proposed pumping site location is shown in (Figure 3).

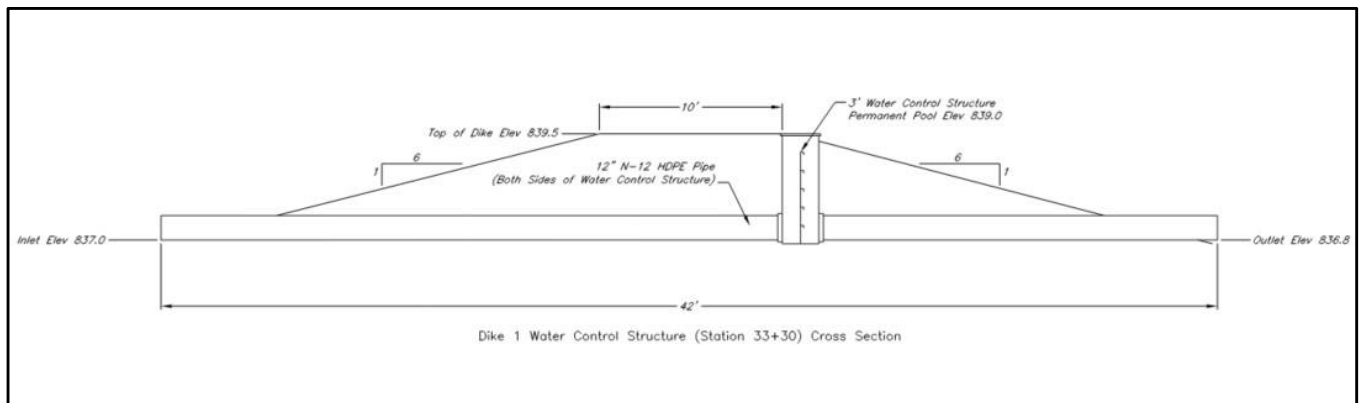


FIGURE 1 CROSS SECTION OF DIKE 1, DIKE 2 HAS THE SAME TOP WIDTH AND SIDE SLOPE



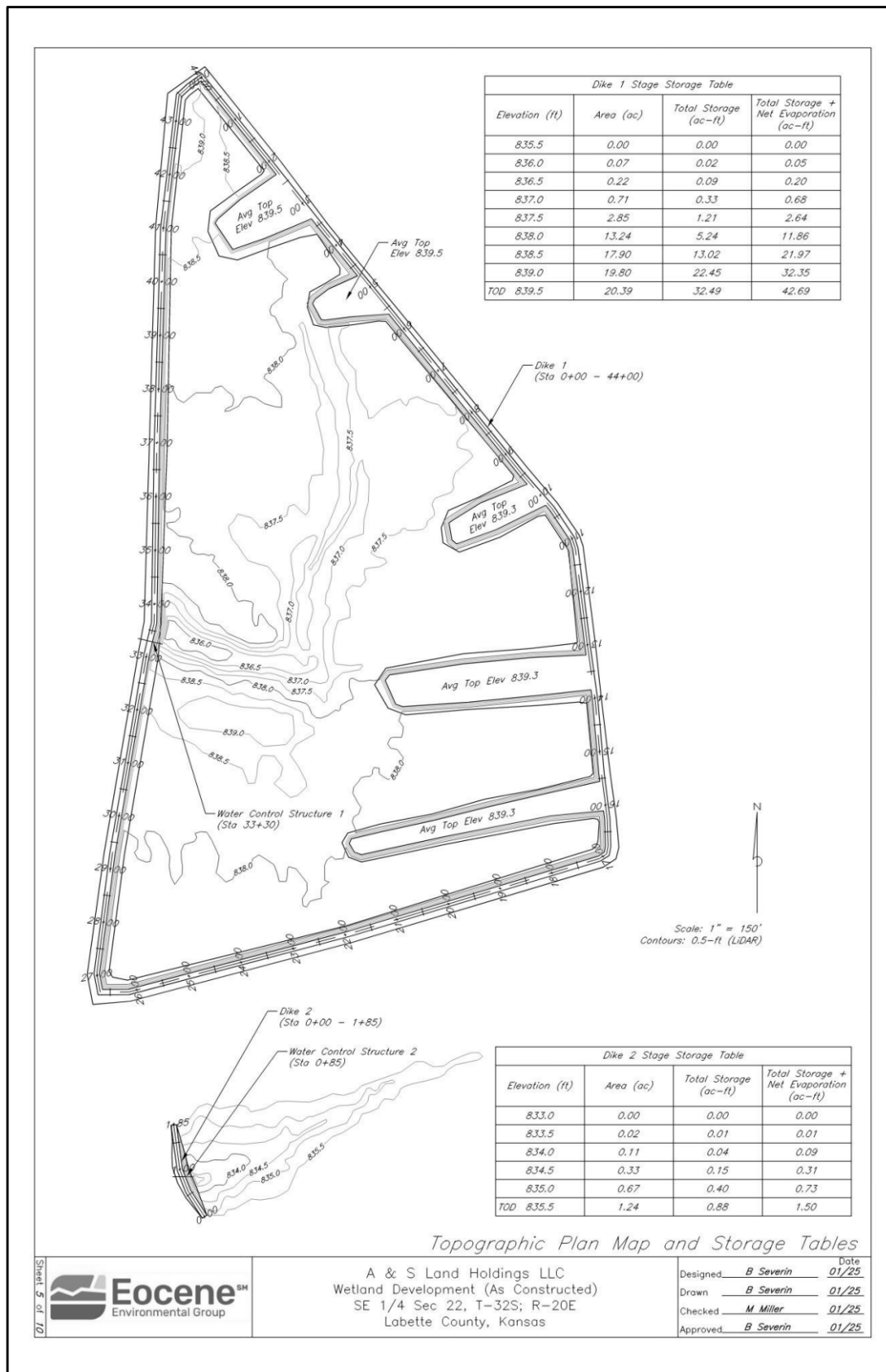


FIGURE 2 SURFACE AREA OF WATER IMPOUNDMENT

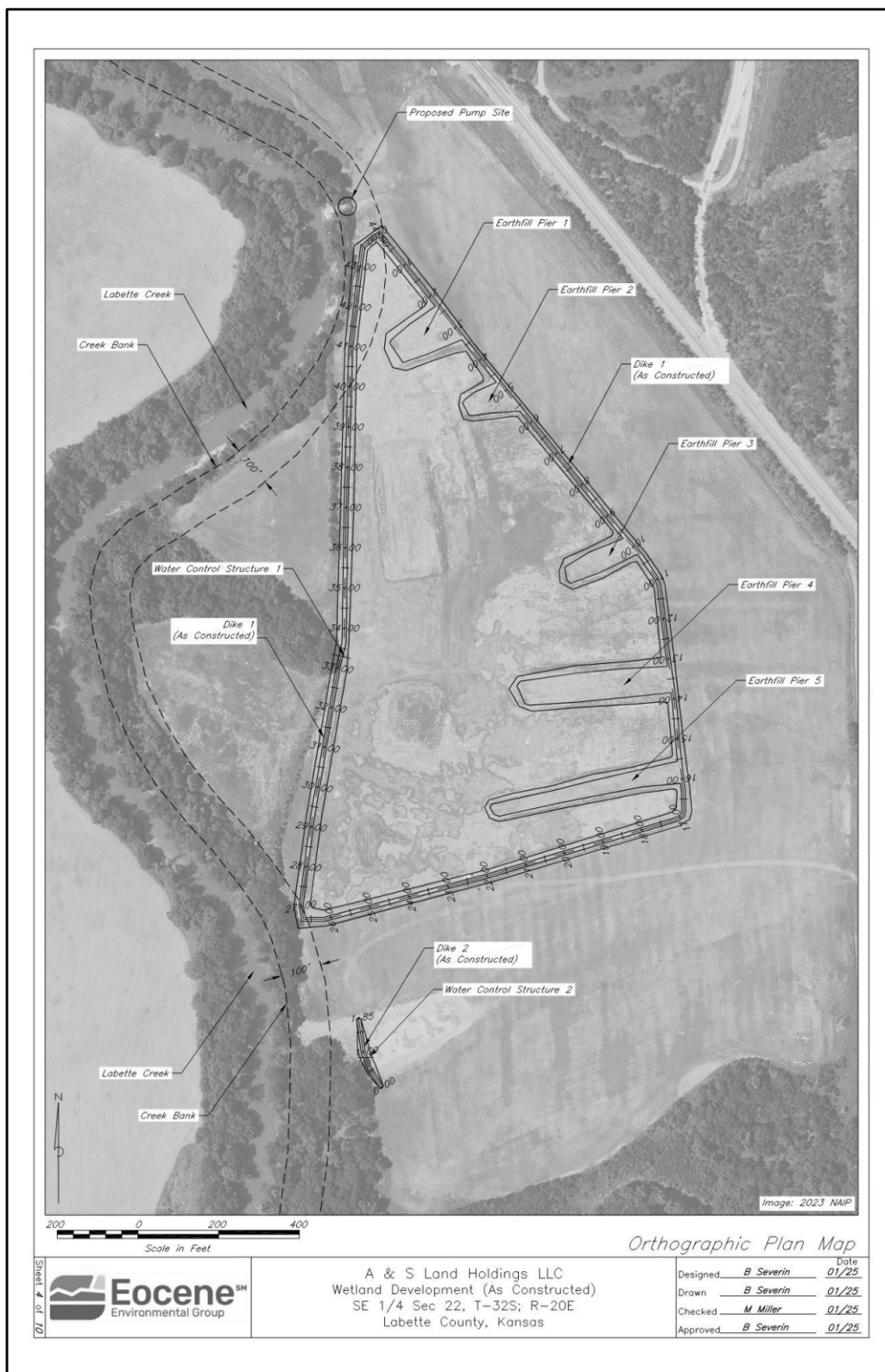


FIGURE 3 PROJECT AREA MAP

## BACKGROUND DATA USED

---

The following background data was collected and used in this report's hydraulic assessment. These documents can be found in the appendix of this report.

- Eocene Environmental Group. 2025. A & S Land Holdings, LLC Wetland Development (As Constructed). West Des Moines, Iowa: Eocene Environmental Group.

No original hydrologic assessment was created for use in this study. Instead, the existing inflow hydrographs and rainfall data for the 100-year-event in the Lower Neosho River Basin 11 Base Level Engineering 2D HEC-RAS Model were used in the hydraulic assessment created for this project.

## HYDRAULIC ASSESSMENT

---

The hydraulic impact of the proposed new dikes designed for this project was assessed using U.S. Army Corps of Engineers (USACE) Hydraulic Engineering River Analysis System (HEC-RAS) version 6.6. The hydraulic model created for this project was based on the Lower Neosho Watershed Basin 11 Base Level Engineering model received from the Kansas Department of Agriculture. For this project, that amended model was first updated to HEC-RAS 6.6 and then used as the starting point to create the existing conditions model. The existing geometry in the model titled "Basin11" was used as the effective geometry. This was used in the hydraulic assessment. The geometry and terrain were examined to determine if the model accurately represented existing conditions. Particular attention was placed on floodplain fills LLB-0052 which were captured within the lidar. An existing geometry was not required, as floodplain fills were adequately captured in the lidar and were present in the model.

### TERRAIN MODIFICATION

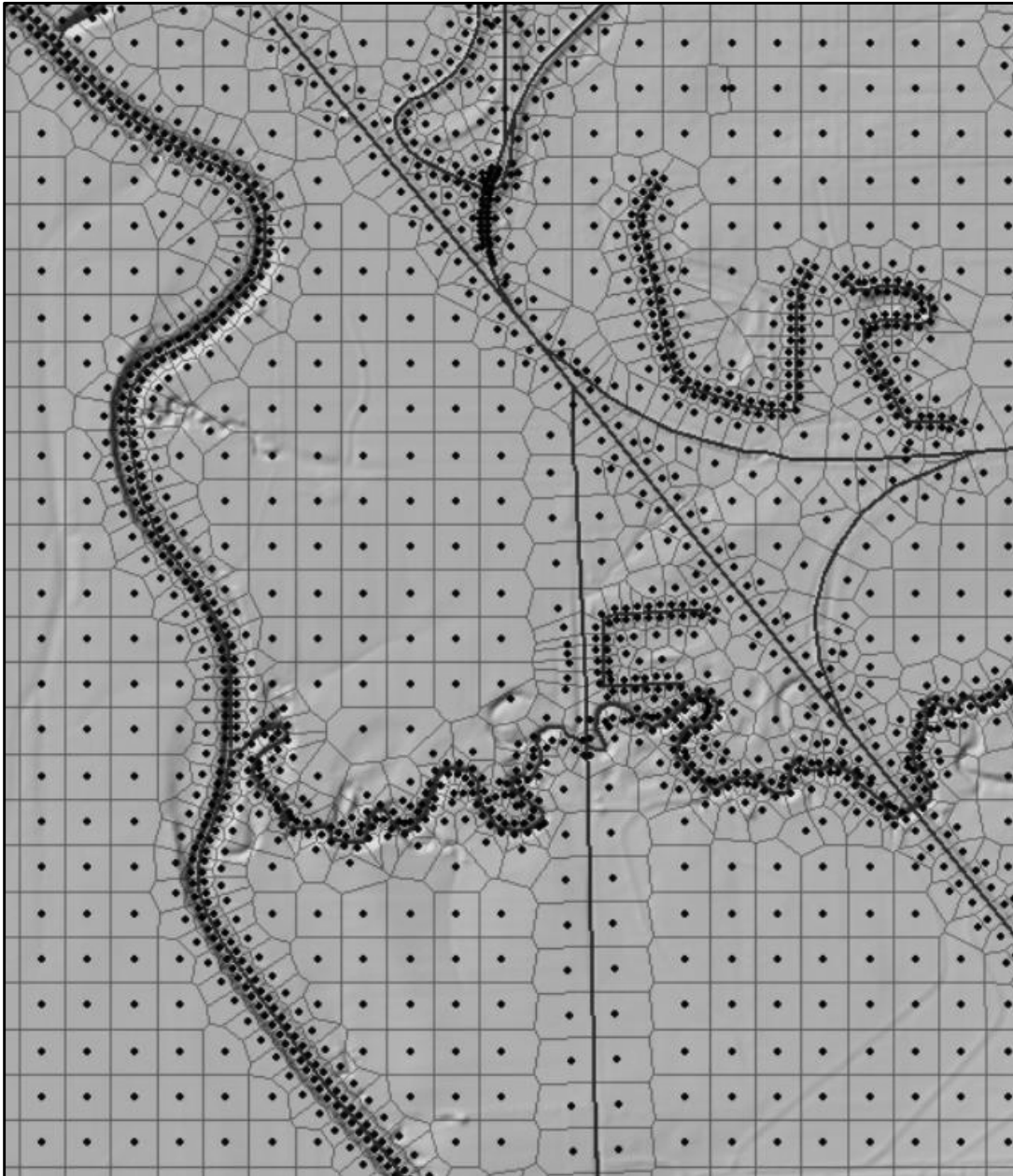
The dike centerline shapefiles as provided by Eocene Environmental Group were imported into the RAS terrain. No datum or coordinate system transformation was necessary, as the shapefile was prepared in the same coordinate system as the model. A visual examination was conducted comparing the mapping and aerial photography, to ensure the locations were correct. The existing terrain was duplicated and named "Terrain.Proposed". This duplicated terrain was then used to add the dikes into the model as modifications as well as the earth fill piers. Elevation and stationing information was taken from the design report provided by Eocene. No changes were made to the Manning's roughness coefficient (n) values from the BLE model.

### GEOMETRY GENERATION

The BLE geometry was copied and saved as "Proposed." The cell face length tolerance

was reviewed to ensure the cell face length tolerance matched the original generated mesh, to avoid generating slightly different cell boundaries and creating cells that miss key features. Additional breaklines were added and enforced at the location of the

dikes. Before and after geometries are illustrated in Figure 4 and Figure 5. The terrain association for the new proposed geometry was then changed to "Terrain.Proposed" as explained in the previous section.



**FIGURE 4 EXISTING CELL MESH**

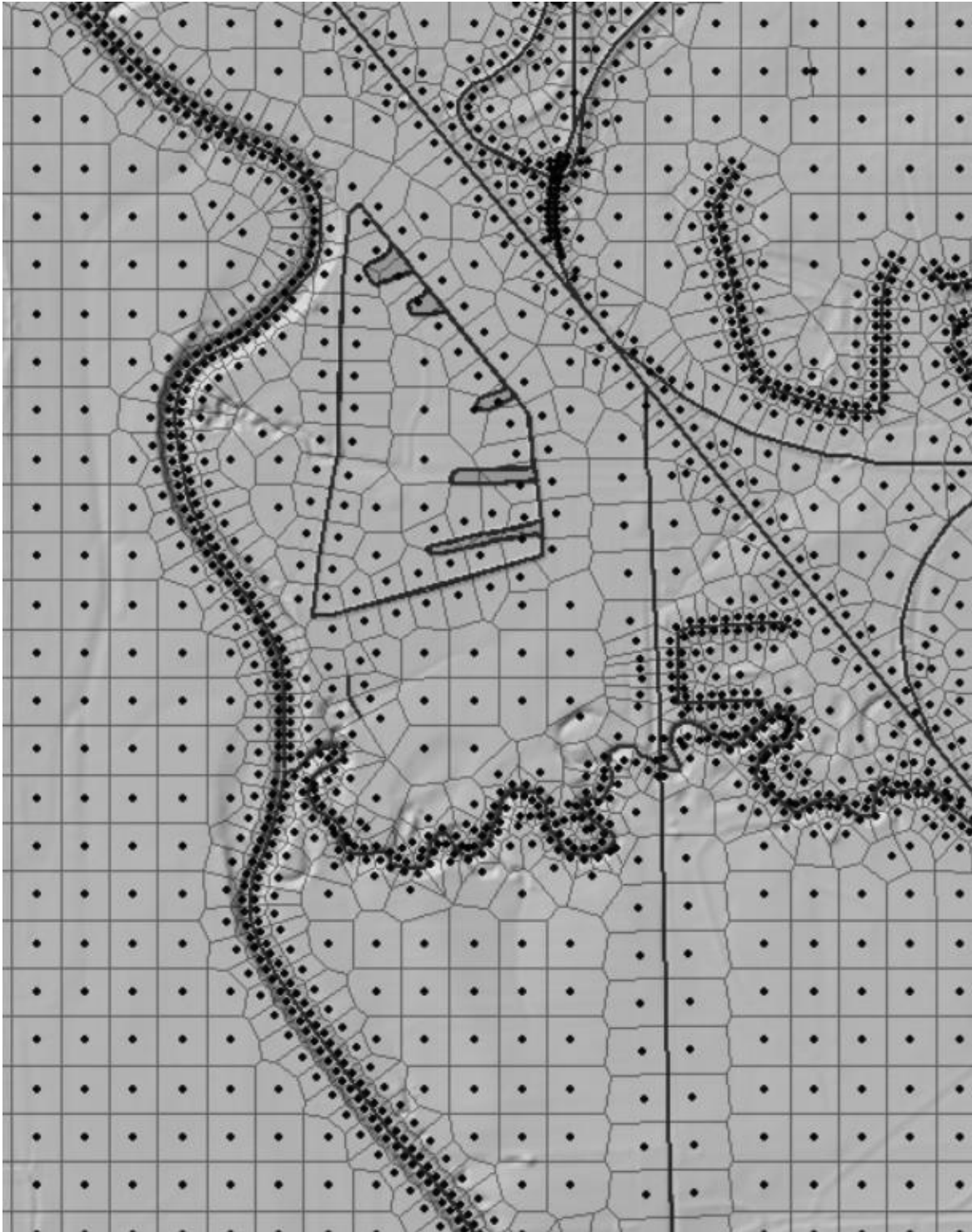


FIGURE 5 PROPOSED CELL MESH

## **TERRAIN MODIFICATION**

With the geometries and terrains created for the hydraulic analysis, effective and proposed, two corresponding unsteady flow plans were then created to dynamically model discharge-stage ratings throughout the interior cells, based on specific up- and downstream boundary discharge. The flow plans are described below.

### **100-YEAR EFFECTIVE**

Geometry: Basin11

Terrain: Terrain

Unsteady Flow: 100yr

Description: This plan represents the conditions modeled in the originally supplied Federal Emergency Management Agency base level engineering model. It was used to check that results with the updated software version and regenerated geometry

reasonably match the base level engineering model. It is analogous to a “corrected effective” Federal Emergency Management Agency model.

### **PROPOSED CONDITIONS**

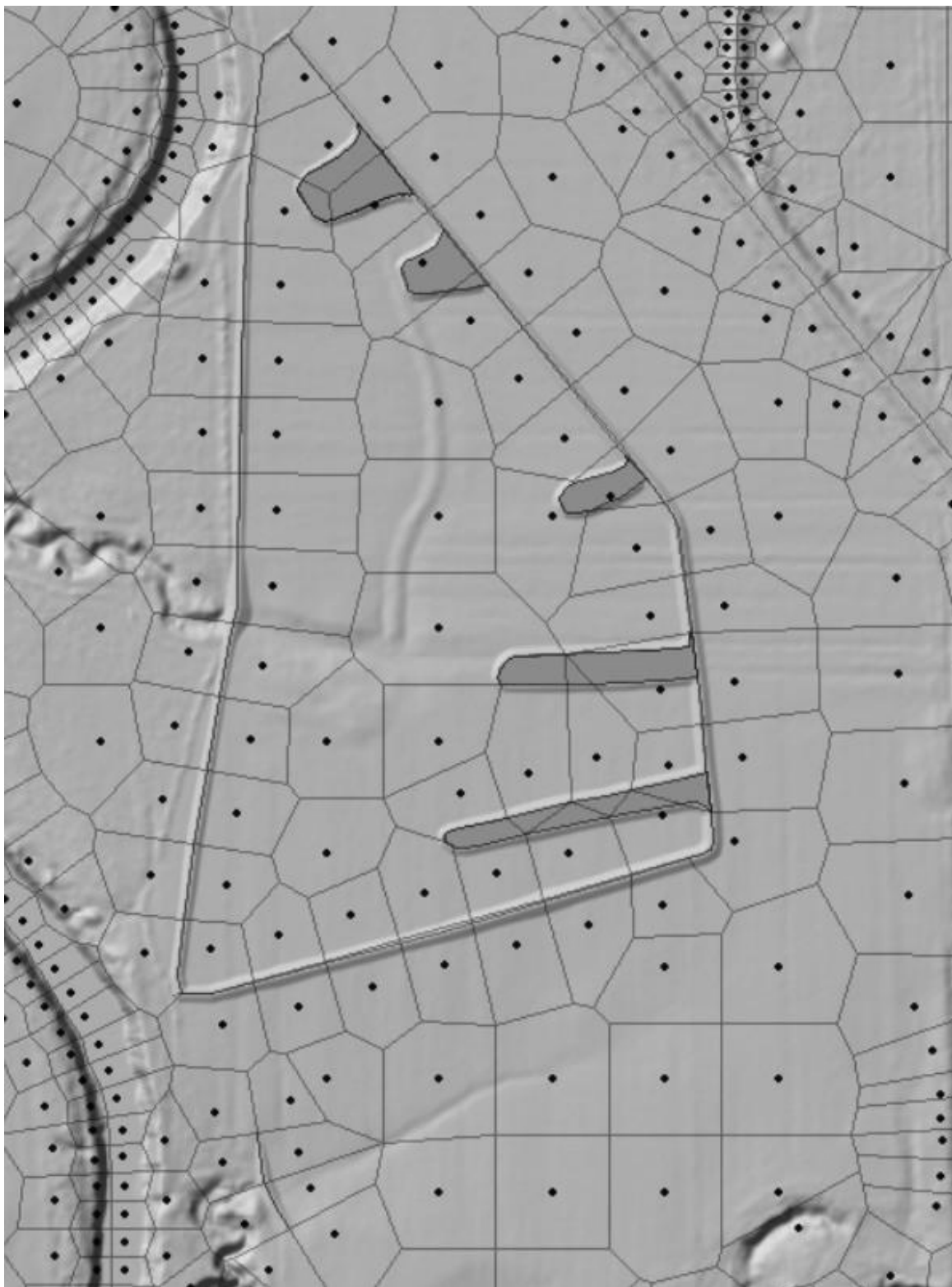
Geometry: Proposed

Terrain: Terrain.Proposed

Unsteady Flow: Dike100

Description: This plan represents the proposed conditions of the domain, including the A&S Land Holdings LLC proposed dikes and earthfill piers for which permits are being applied for. The terrain modifications for the dikes are shown in Figure 6.





**FIGURE 6 TERRAIN MODIFICATION. DIKE 1 IS SHOWN AT THE TOP OF THE FIGURE INCLUDING THE EARTHFILL PIERS. DIKE 2 IS BELOW THIS IN THE BOTTOM LEFT OF THE FIGURE.**

# RESULTS

---

The hydraulic analysis demonstrates the proposed dikes can be expected to result in no more than a 0.12-foot rise in the maximum water surface elevation versus modeling results from the effective conditions within the area of interest. HEC-RAS calculated layers were created to generate color-ramps comparing the maximum water surface elevations of the two plans modeled. Figure 7 shows the difference in maximum water surface elevation between effective and proposed. Figure 8 shows the change in maximum water surface elevation around the A & S Land Holding LLC dikes. Figure 8 has a maximum water surface decrease of -0.04, shown in light blue and green, and a

maximum increase of 0.12 shown in light yellow and red. Figure 9 shows the change in maximum water surface elevation exclusively around the dikes. The light blue and green areas surrounding the dikes represent a decrease in water surface elevation from effective to proposed. Yellow and red shows an increase in water surface elevation between effective to proposed. The largest decrease in water surface elevation is -0.04 and is found to the south of Dike 1. The yellow and red area around Dike 1 shows an increase in water surface elevation between the models. The largest change is 0.12 feet on the northwest edge of the dike.

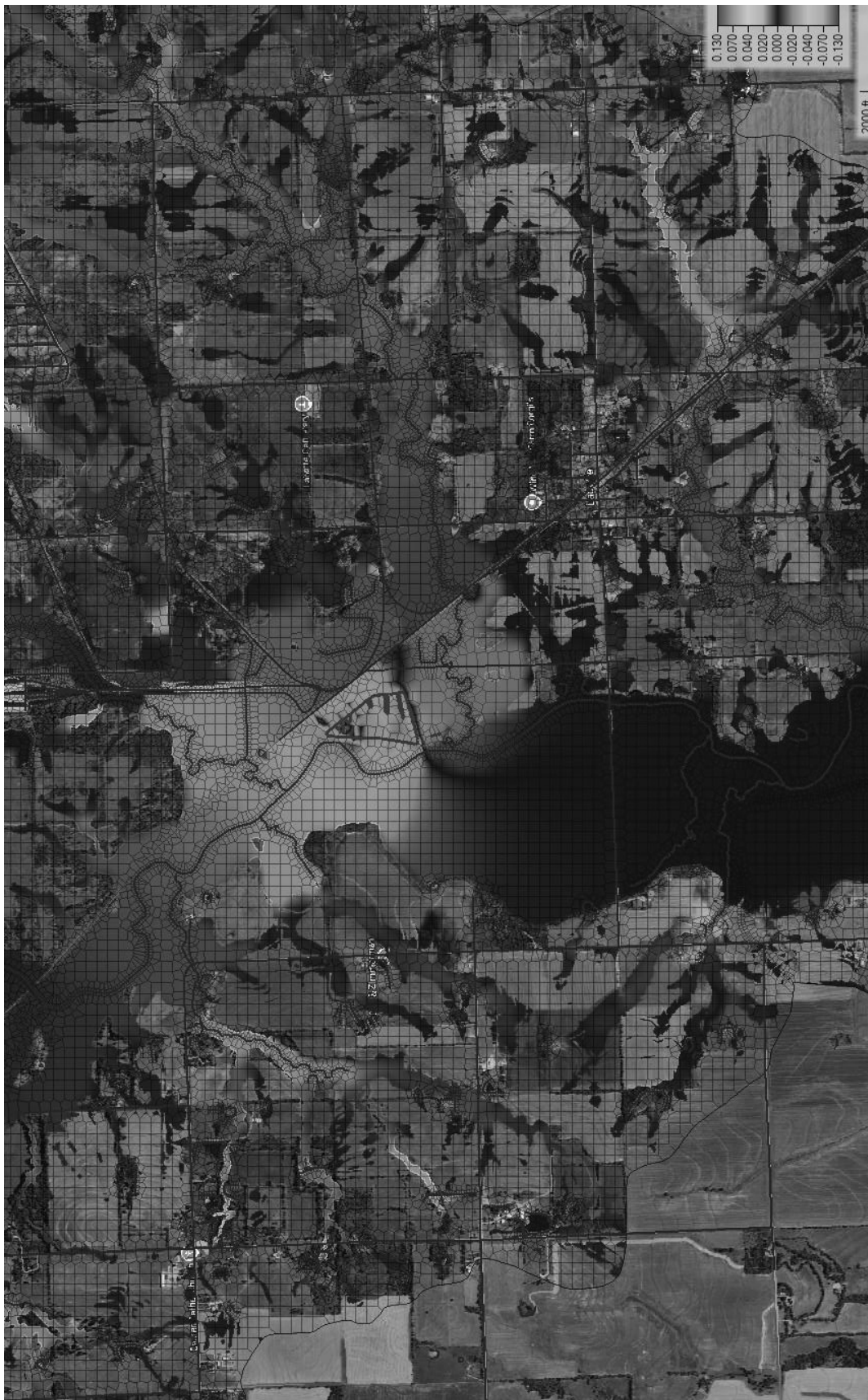


FIGURE 7 WATER SURFACE ELEVATION MAXIMUM COMPARISON LAYER BETWEEN EFFECTIVE MODEL AND PROPOSED

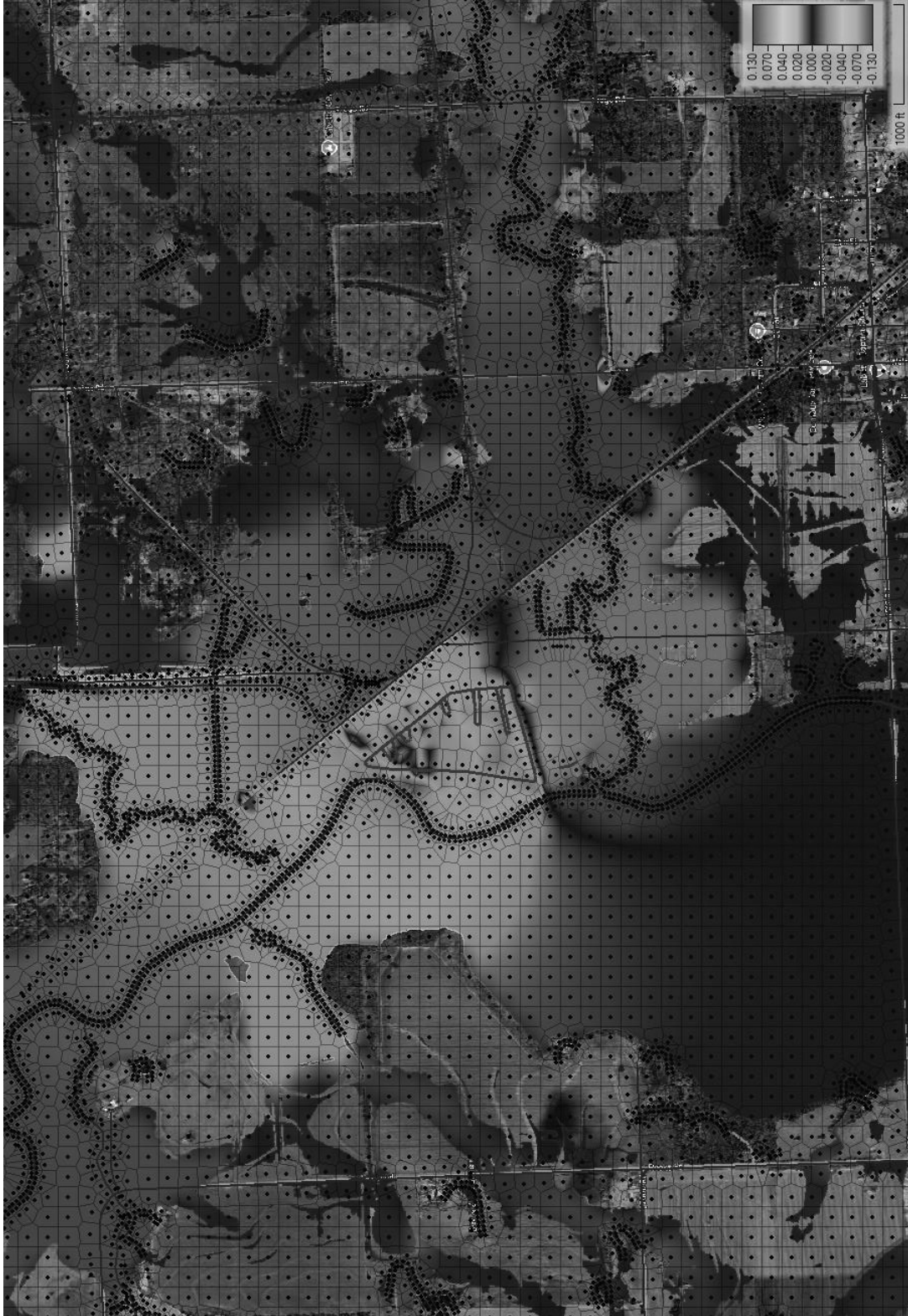
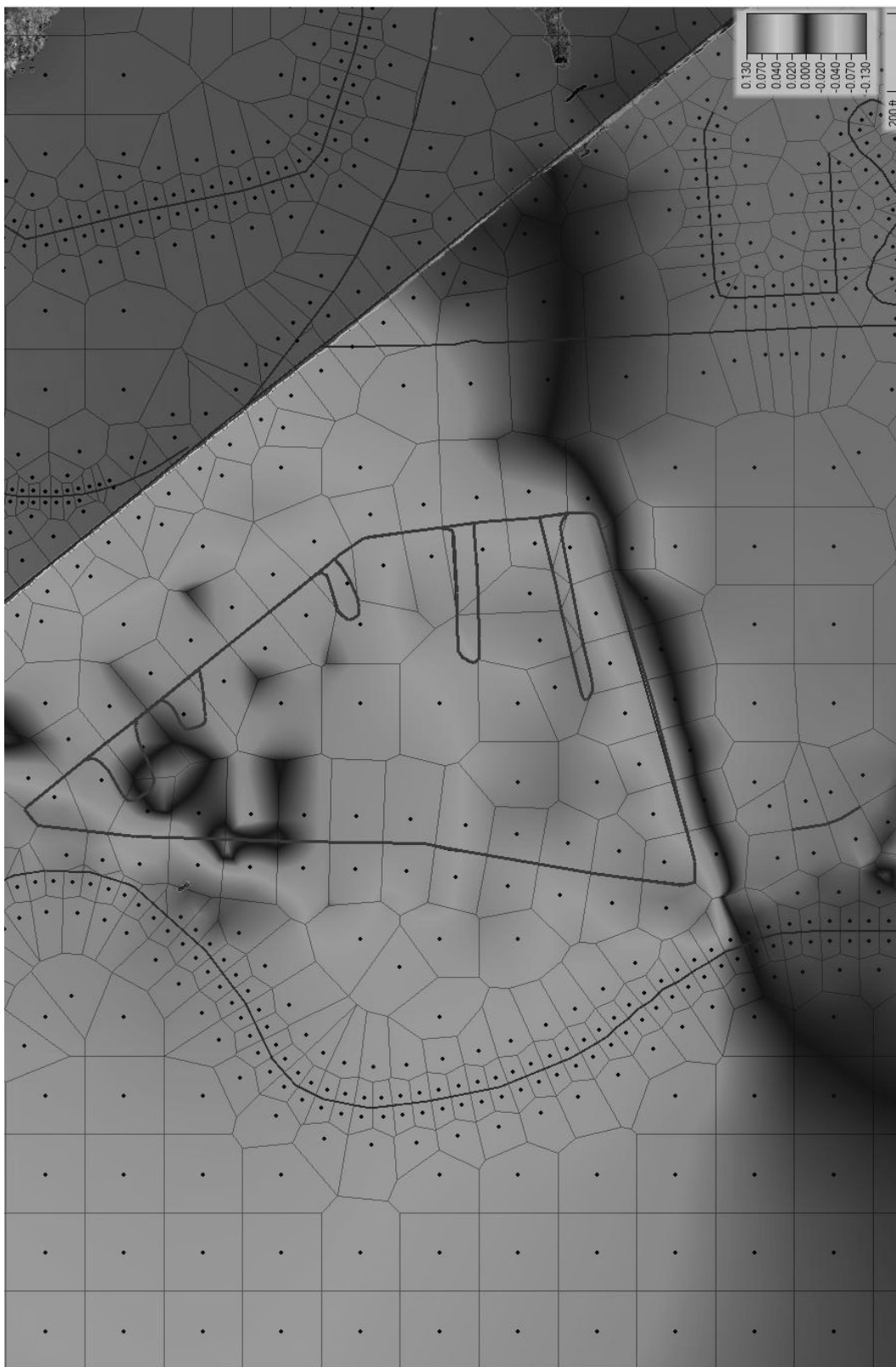


FIGURE 8 MAXIMUM WATER SURFACE ELEVATION DIFFERENCE BETWEEN EFFECTIVE AND PROPOSED AT PROJECT AREA AROUND THE TWO DIKES



**FIGURE 9 MAXIMUM WATER SURFACE ELEVATION DIFFERENCE CENTERED AT THE TWO DIKES. BLUE AND GREEN SHOWS A DECREASE WHILE YELLOW AND RED SHOWS AN INCREASE IN MAXIMUM WATER SURFACE ELEVATION**

## REFERENCES

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Eocene Environmental Group. 2025. A & S Land Holdings, LLC Wetland Development (As Constructed). West Des Moines, Iowa: Eocene Environmental Group.

Kansas Department of Agriculture Division of Water Resources. 2019. Lower Neosho

Watershed Basin 11 Base Level Engineering 2D HEC-RAS Model. Filename "LowerNeoshoB11.zip."

# APPENDICES

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A & S Land Holdings, LLC Wetland  
Development (As Constructed)



## Romine, Deidre [KDA]

---

**From:** Janelle Phillips [KDA]  
**Sent:** Friday, April 4, 2025 3:11 PM  
**To:** Deidre Romine [KDA]  
**Subject:** FW: A & S Land Holdings LLC - As Constructed Wetland Development - Design & Permit Applications  
**Attachments:** A&S Land Holdings\_Design Report\_PE Stamped.pdf; A&S Land Holdings\_DWR 1\_100\_Direct Diversion\_Print.pdf; A&S Land Holdings\_DWR 2-200\_Print.pdf; A&S Land Holdings\_Application Signature Pages.pdf; A&S Land Holdings\_Floodplain Analysis\_Water Resources Solutions\_SEALED.pdf

App for LLB-0127 please call Scott Meredith for payment \$600

Janelle Phillips, P.E.  
Water Structures Team Lead  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan KS 66502  
785-564-6656 - office  
785-307-8292 – cell  
Janelle.phillips@ks.gov

---

**From:** Severin, Brian <BSeverin@eocene.com>  
**Sent:** Friday, April 4, 2025 3:06 PM  
**To:** Janelle Phillips [KDA] <Janelle.Phillips@ks.gov>  
**Cc:** Scott Meredith <scottmeredith@kw.com>  
**Subject:** A & S Land Holdings LLC - As Constructed Wetland Development - Design & Permit Applications

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Janelle-

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The landowner will contact DWR separately to pay for the permit application fees. Please let me know if you have questions or need additional information. Thank you!

**Brian Severin, P.E.**  
**Director of Technical Services, Sustainability Division**

**Eocene Environmental Group**

5930 Grand Avenue, West Des Moines, Iowa 50266  
**MOBILE** 785.207.0201

Before any investigation or construction activity, the excavator is responsible for calling Kansas One-Call at 800-344-7233 (800-DIG-SAFE) or 811

01/25	B Severn	Designed
01/25	B Severn	Drawn
01/25	M Miller	Checked
01/25	B Severn	Approved
01/25		Date

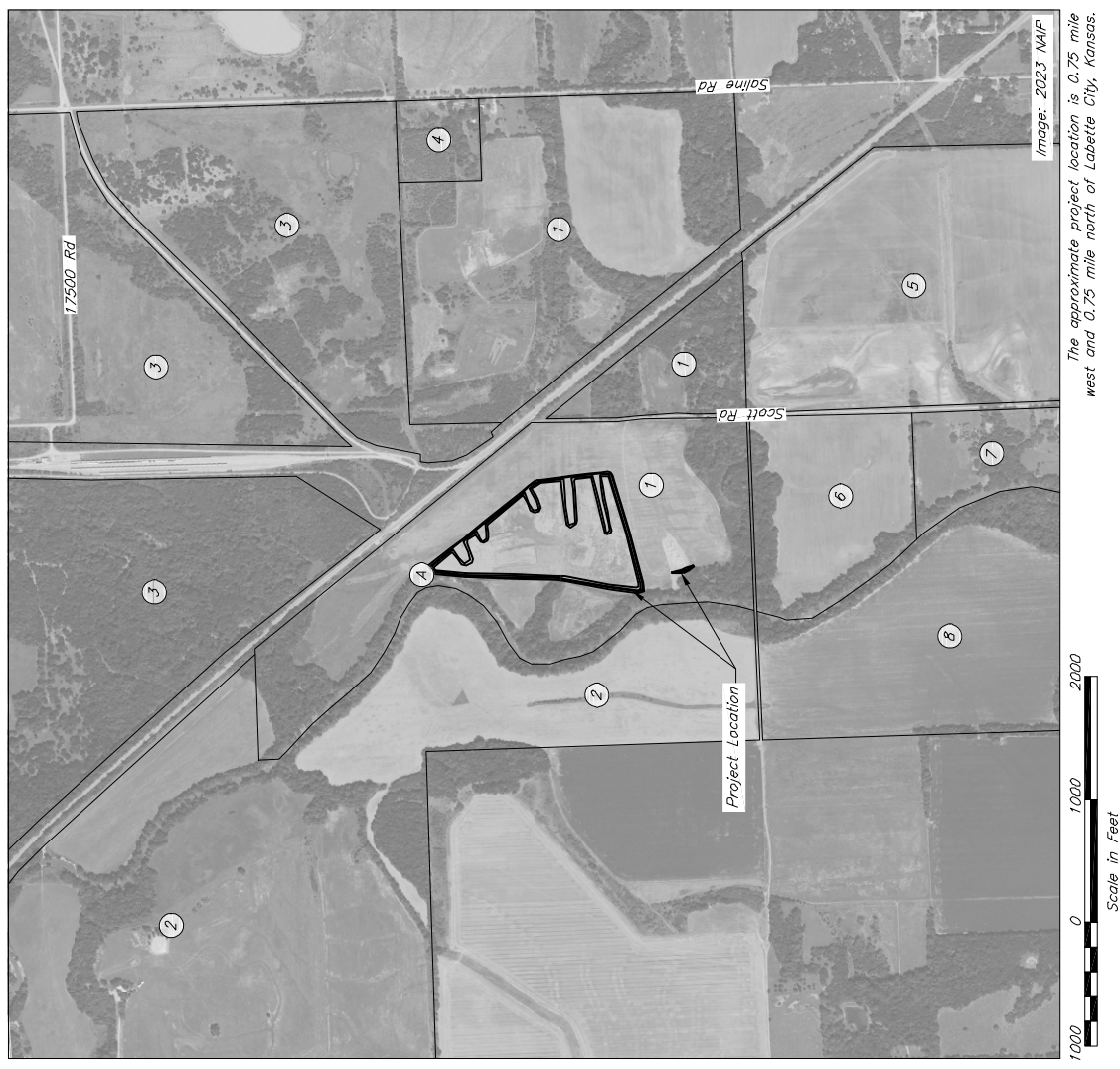
A & S Land Holdings LLC  
Wetland Development (As Constructed)  
SE 1/4 Sec 22, T-32S; R-20E  
Labette County, Kansas



- Upstream and Downstream Landowners*

  - 1) A & S Land Holdings LLC  
101 Bunch Rd  
Jackson, Georgia 30233
  - 2) Karhoff Liv Tr, Benhardt; Anna  
17105 Rooks Rd  
Parsons, Kansas 67357
  - 3) Kansas Dept. Wildlife & Parks  
512 SE 23th Ave  
Pratt, Kansas 67124
  - 4) Busch Outdoors LLC  
5033 Lake Breeze Rd  
Grove, Oklahoma 74344
  - 5) Carnahan, Robert B; Megan M  
17090 Queens Rd  
Parsons, Kansas 67357
  - 6) Cassard Liv Tr, Lois Aline  
PO Box 22  
Altamont, Kansas 67230
  - 7) Sneed Liv Tr, Alan D; Diana M  
15050 Rooks Rd  
Oswega, Kansas 67356
  - 8) Matthias Hall Family Farm LLC  
9217 Hayes Dr  
Overland Park, Kansas 66212
- Points of Diversion*

  - A) Pump Site – Direct Diversion



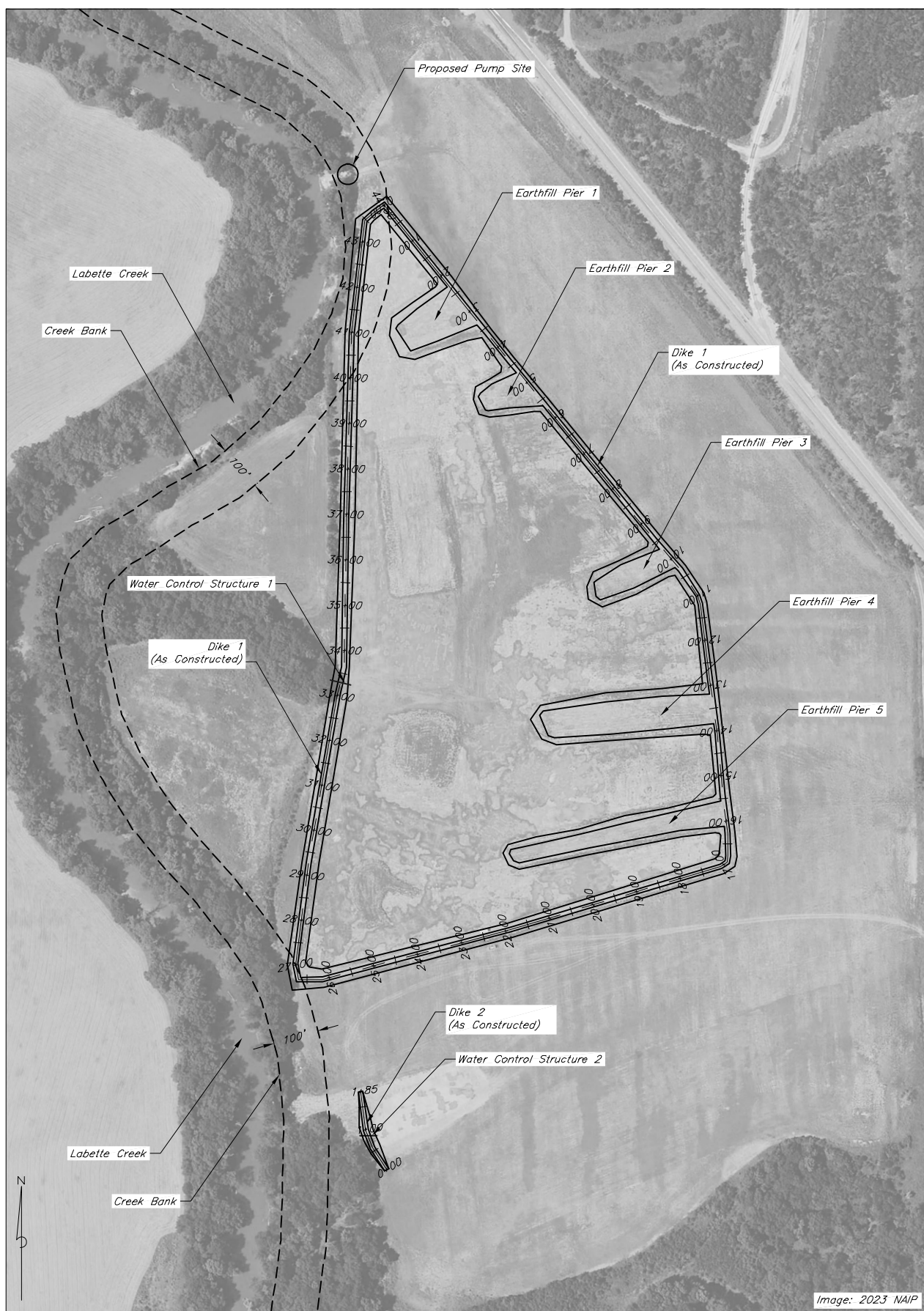
Location Map and Adjacent Landowners



Benchmark Table				
Benchmark	Northing	Easting	Survey Elevation	Description
BM1	1539777.21	2273066.04	839.94	Top of rebar
BM2	1538439.74	2274304.47	838.87	Top of rebar

Survey Area: Kansas State Plane (South)

### Property Boundary and Benchmark Map



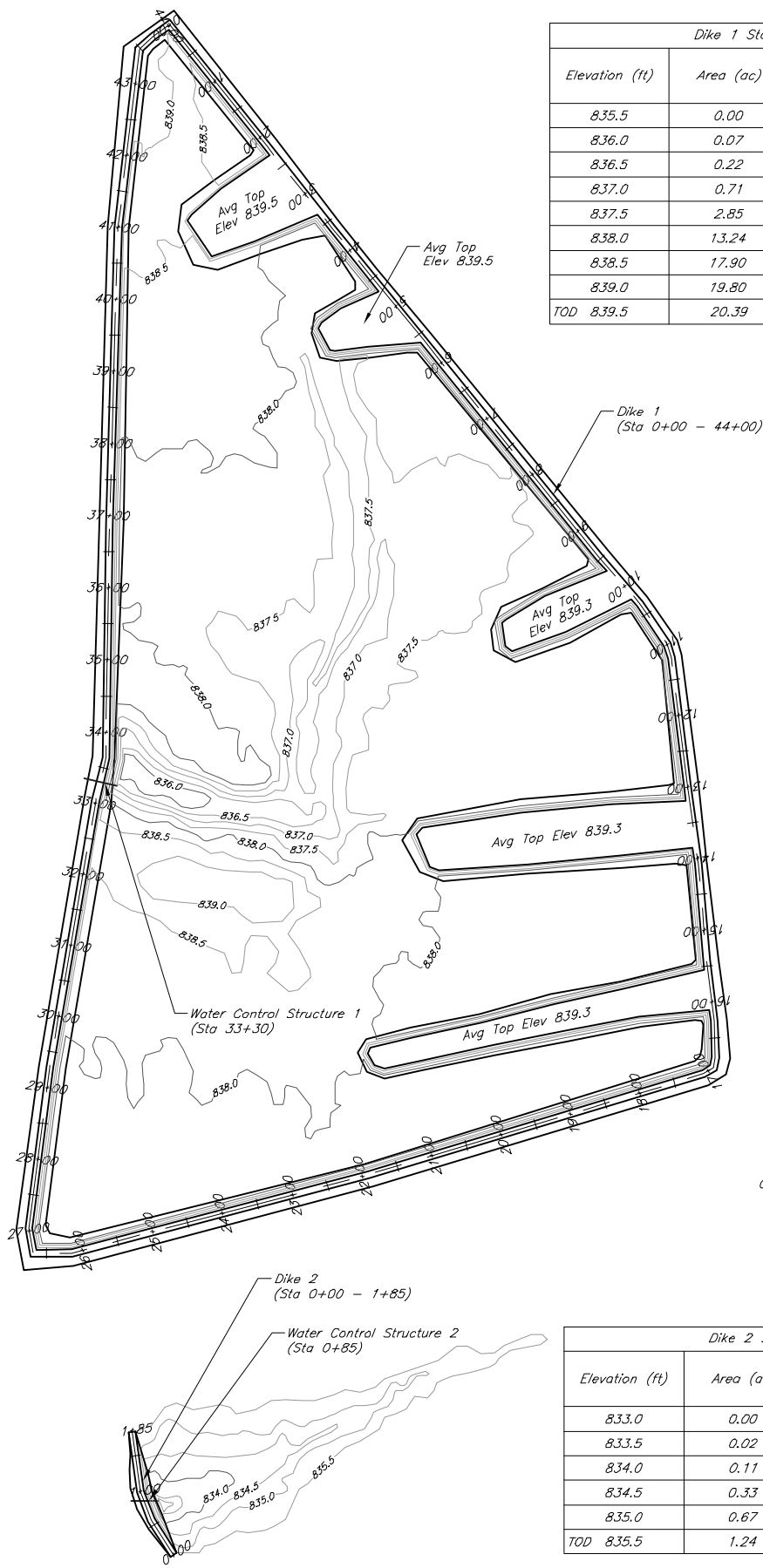
### Orthographic Plan Map

Sheet 4 of 10



A & S Land Holdings LLC  
Wetland Development (As Constructed)  
SE 1/4 Sec 22, T-32S; R-20E  
Labette County, Kansas

		Date
Designed	<b>B Severin</b>	<b>01/25</b>
Drawn	<b>B Severin</b>	<b>01/25</b>
Checked	<b>M Miller</b>	<b>01/25</b>
Approved	<b>B Severin</b>	<b>01/25</b>



Dike 1 Stage Storage Table			
Elevation (ft)	Area (ac)	Total Storage (ac-ft)	Total Storage + Net Evaporation (ac-ft)
835.5	0.00	0.00	0.00
836.0	0.07	0.02	0.05
836.5	0.22	0.09	0.20
837.0	0.71	0.33	0.68
837.5	2.85	1.21	2.64
838.0	13.24	5.24	11.86
838.5	17.90	13.02	21.97
839.0	19.80	22.45	32.35
TOD 839.5	20.39	32.49	42.69

Dike 2 Stage Storage Table			
Elevation (ft)	Area (ac)	Total Storage (ac-ft)	Total Storage + Net Evaporation (ac-ft)
833.0	0.00	0.00	0.00
833.5	0.02	0.01	0.01
834.0	0.11	0.04	0.09
834.5	0.33	0.15	0.31
835.0	0.67	0.40	0.73
TOD 835.5	1.24	0.88	1.50

Scale: 1" = 150'  
Contours: 0.5-ft (LiDAR)

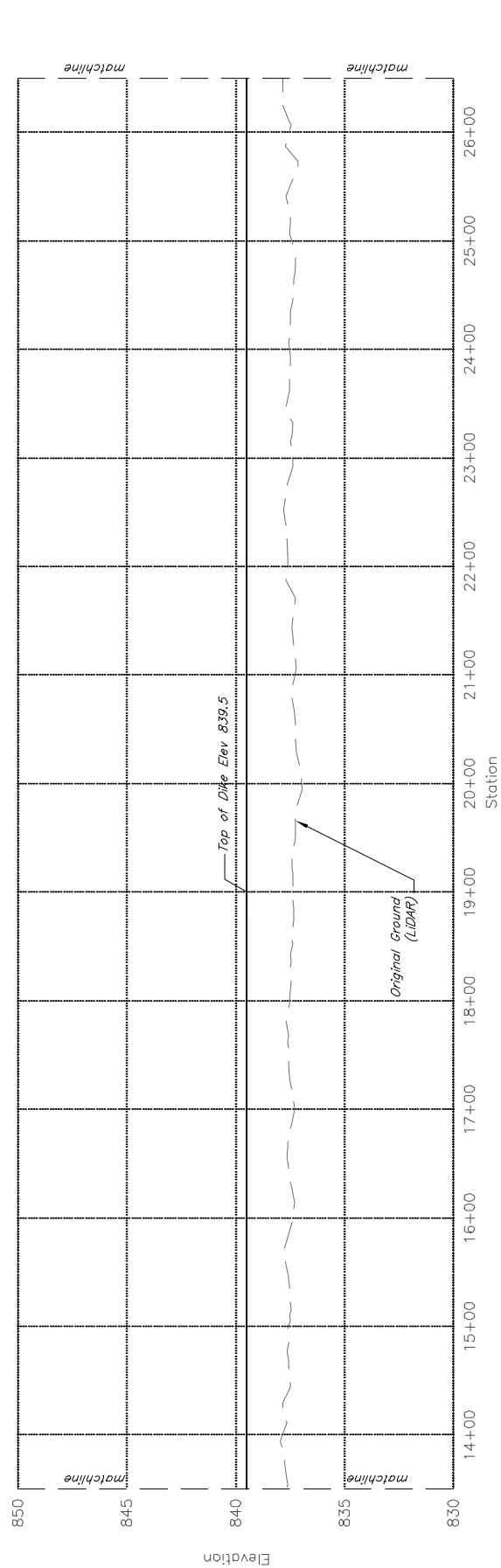
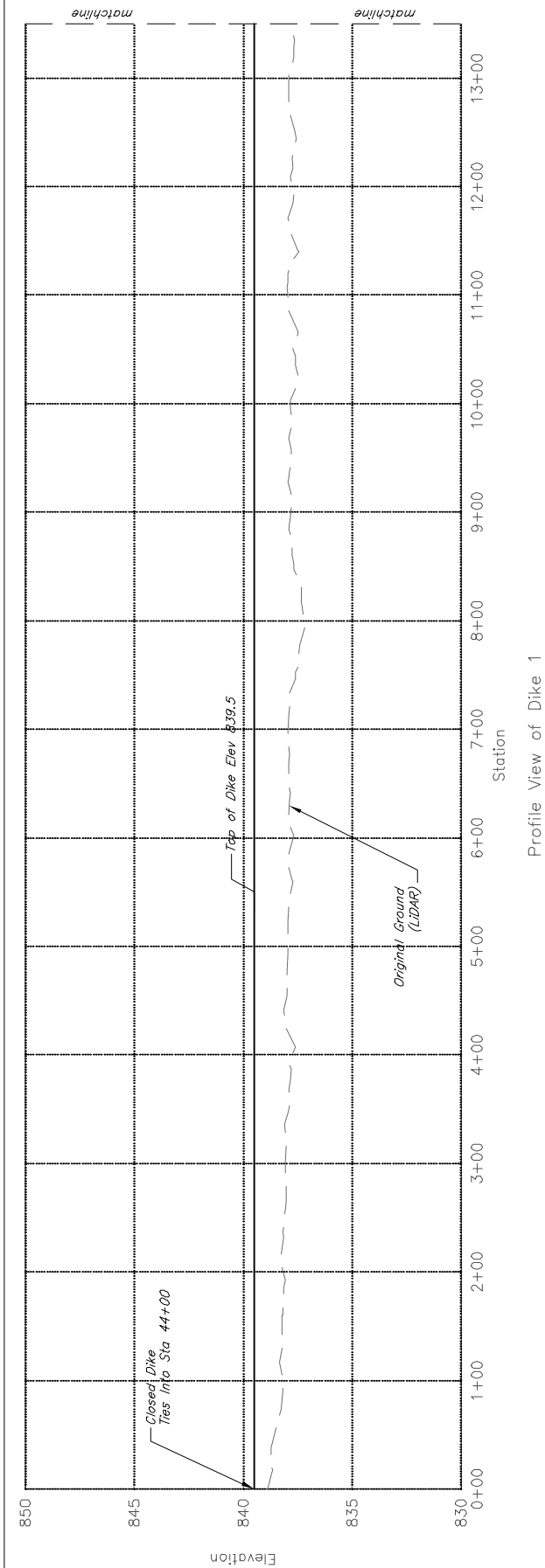
### Topographic Plan Map and Storage Tables

Date	01/25	Designed	B. Severin
	01/25	Drawn	B. Severin
	01/25	Checked	N. Miller
	01/25	Approved	B. Severin

A & S Land Holdings LLC  
Wetland Development (As Constructed)  
SE 1/4 Sec 22, T-32S; R-20E  
Labette County, Kansas



# Dike 1 Profile



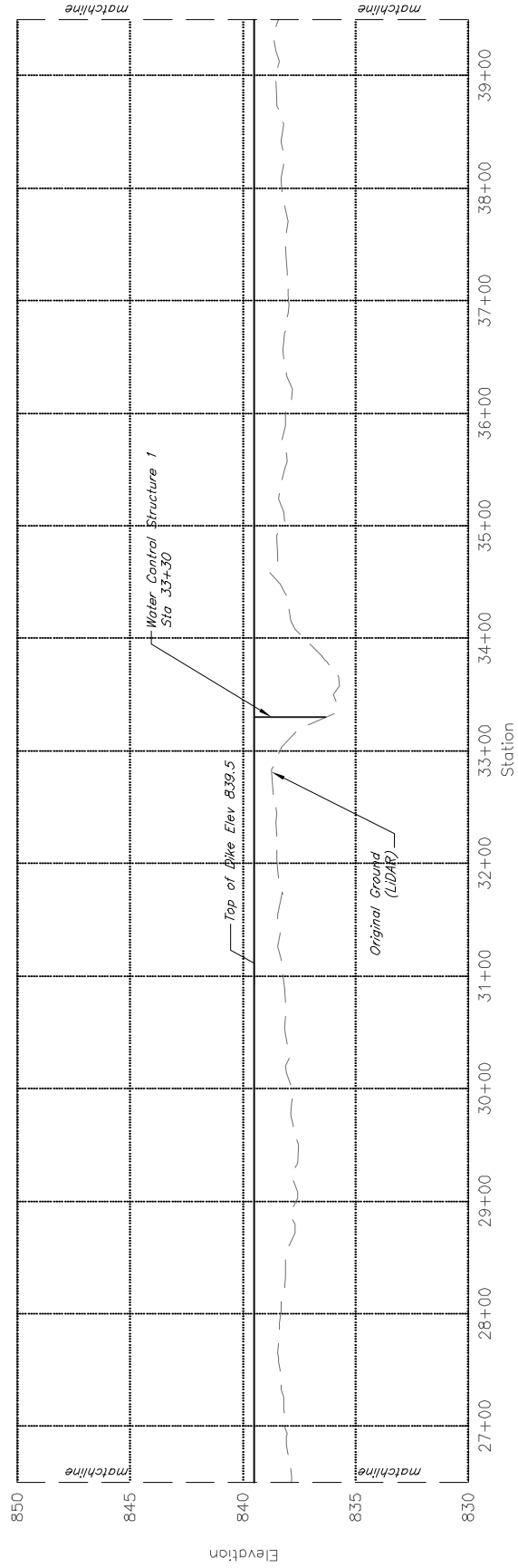


Date	01/25	Designed	B. Severin
	01/25	Drawn	B. Severin
	01/25	Checked	N. Miller
	01/25	Approved	B. Severin

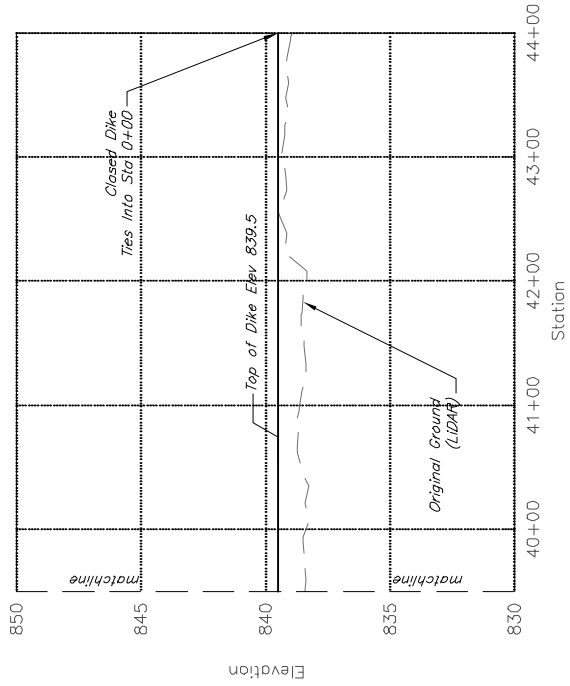
A & S Land Holdings LLC  
Wetland Development (As Constructed)  
SE 1/4 Sec 22, T-32S, R-20E  
Labette County, Kansas



Dike 1 Profile



Profile View of Dike 1



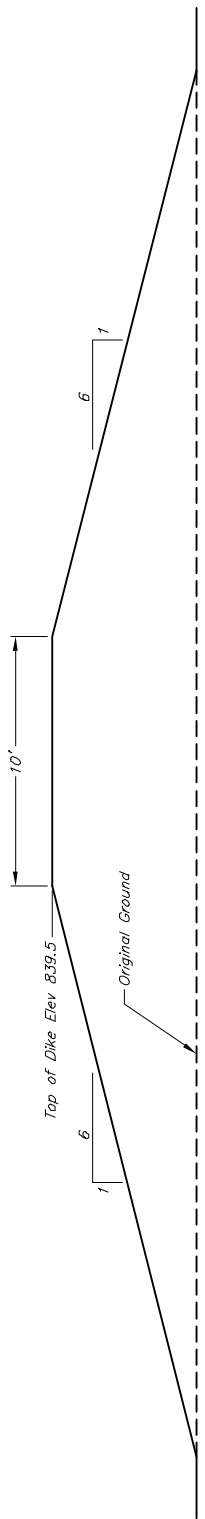
Profile View of Dike 1

Date	01/25	Designed	B. Severin
	01/25	Drawn	B. Severin
	01/25	Checked	M. Miller
	01/25	Approved	B. Severin

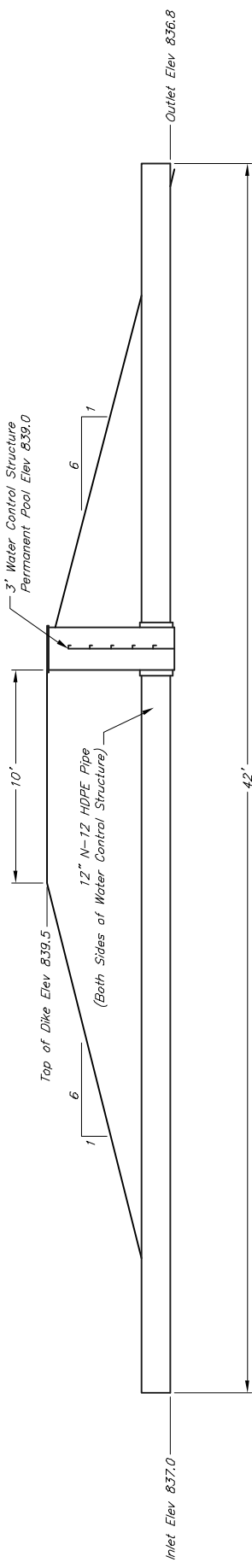
A & S Land Holdings LLC  
 Wetland Development (As Constructed)  
 SE 1/4 Sec 22, T-32S, R-20E  
 Labette County, Kansas



Dike 1 Cross Sections



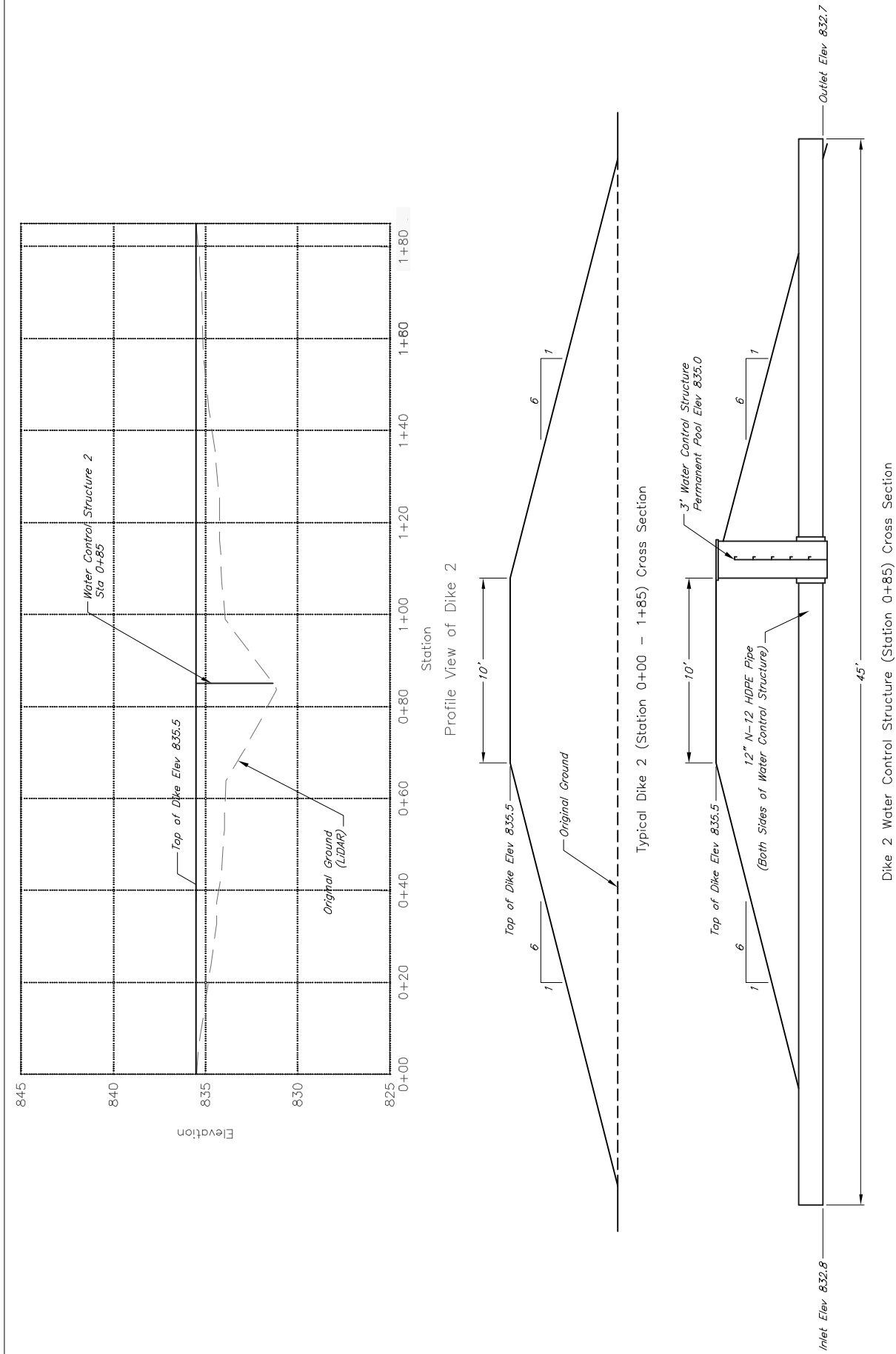
Typical Dike 1 (Station 0+00 - 44+00) Cross Section



Dike 1 Water Control Structure (Station 33+30) Cross Section

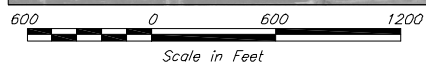
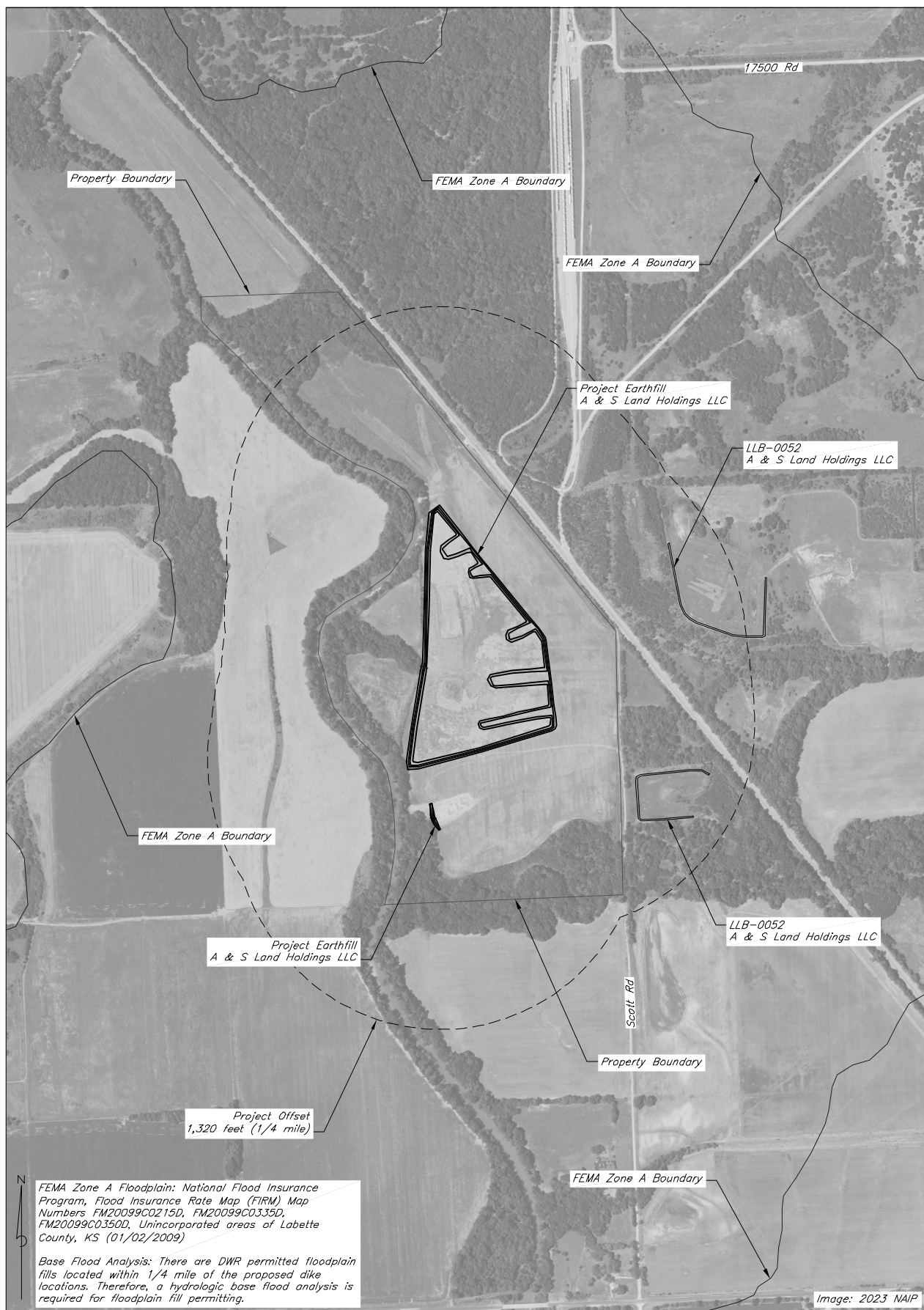
Date	01/25	Designed	B. Severn
	01/25	Drawn	B. Severn
	01/25	Checked	M. Miller
	01/25	Approved	B. Severn

A & S Land Holdings LLC  
Wetland Development (As Constructed)  
SE 1/4 Sec 22, T-32S; R-20E  
Labette County, Kansas



Dike 2 Profile and Cross Sections

Dike 2 Water Control Structure (Station 0+85) Cross Section



## Base Flood Analysis

Sheet 10 of 10



A & S Land Holdings LLC  
Wetland Development (As Constructed)  
SE 1/4 Sec 22, T-32S; R-20E  
Labette County, Kansas

		Date
Designed	<b>B Severin</b>	<b>01/25</b>
Drawn	<b>B Severin</b>	<b>01/25</b>
Checked	<b>M Miller</b>	<b>01/25</b>
Approved	<b>B Severin</b>	<b>01/25</b>

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 25, 2025

A & S LAND HOLDINGS LLC  
101 BUNCH RD  
JACKSON GA 30233

RE: Application, File No(s). **51471**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) for a permit to appropriate water for beneficial use. Your application(s) has been assigned the file number(s) referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application(s) and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation Act, the use of water as proposed prior to approval of the application(s) is unlawful.

Additional information about the process may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any other questions, 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,

Kris Neuhauser  
New Applications Lead  
Water Appropriation Program