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Mike Beam, Secretary

Laura Kelly, Governor

August 17, 2021

BNSF RAILWAY COMPANY  
MATTHEW THOMAS  
4515 KANSAS AVE  
KANSAS CITY KS 66106

Re: Bridge No.: 7100-102.9  
Bridge Replacement & Floodway Fill  
Neosho River  
Lyon County  
WSN: SLY-0275-L & LLY-0163-S, Notice No.: 2021268

Dear Mr. Thomas:

Consideration has been given to your application for a permit and approval of plans relating to the construction of an 87-ft. - 117-ft. - 101-ft. - 5@39-ft. spans bridge, including the associated floodway fill, in, along, and across the Neosho River at a location starting in the SE 1/4 of the SW 1/4 of the SW 1/4 of Section 19, and ending in the NE 1/4 of the NW 1/4 of the NE 1/4 of Section 30, all in Township 19 South, Range 13 East, Lyon County, Kansas.

In accordance with the provisions of K.S.A. 82a-301 to 305a & 24-126, the Chief Engineer has approved the plans and issued the enclosed permits, authorizing construction of the proposed project. Please note the conditions on the reverse side of each permit. Condition No. 9 requires the permittee to notify this office within 30 days after the project is completed. A Notice and Proof of Completion form is enclosed for this purpose. Special conditions have been added to limit the removal of timber and vegetation, to require the use of clean material for riprap, to prohibit the introduction of toxic or deleterious materials into the watercourse, to allow the construction of a temporary crossing for construction purposes, to acquire all right-of-way or easements prior to construction, and to establish a project datum benchmark on or near this site and shall provide the description, assumed elevation, and location of said benchmark to the Chief Engineer prior to completion of construction.

The one set of plans submitted to this office has been endorsed with the Chief Engineer's approval and will be retained in our files. Should you desire any copies of the plans with the Chief Engineer's approval shown thereon, please submit the required number.

Comments about this proposed project were received from several agencies during the environmental review process. Copies of the letters with recommendations from the environmental review agencies are enclosed for your information.

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The work has been authorized to be completed on or before July 1, 2025. Approval for construction of this project will expire on that date unless the time is subsequently specifically extended by the Chief Engineer. Any desired extension of time should be requested in writing approximately 30 days prior to the expiration date.

Sincerely,

*Terry Medley*  
Teny Medley, P.E.  
Water Structures Prcfrgram Manager  
(785) 564-6657

Enclosure

pc: Jay Hyland, P.E.- TranSystems Corporation  
Samuel Seeley- Lyon County FPA

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. SLY-0275-L

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 3,05a, hereby issues this permit to BNSF Railway Company, giving his consent to the construction of an 87-ft. - 117-ft. - 101-ft. - 5@39-ft. spans bridge, identified as bridge 7100-102.9, in and across the Neosho River at a location in the SE 1/4 of the SE 1/4 of the SW 1/4 and in the SW 1/4 of the SW 1/4 of the SE 1/4 of Section 19, all in Township 19 South, Range 13 East, Lyon County, Kansas.

All work authorized by this permit shall be performed in accordance with the maps, plans, profiles and specifications filed with the application and approved by the Chief Engineer, and in accordance with plans for any changes or modifications subsequently approved by the Chief Engineer subject to the provisions of the aforementioned statutes, their regulations and the attached permit conditions.

Witness my hand this 17<sup>th</sup> day of August 2021.

*Terry Medley*  
EARL D. LEWIS, JR., P.E. for  
Terry Medley, P.E. for  
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 )

17 Th, forgoing instrument WM acknowledgment before me, this 17<sup>th</sup> day of Ar 2021, by Terry Medley, authorized agent of Earl D. Lewis Jr., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

SHEILAMATHOS  
My Appointment Expires  
March 26, 2024

Notary Public SJi,r;J.ie

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

DWR 2-200.0 (Rev. 7/04)

SAMPLE