

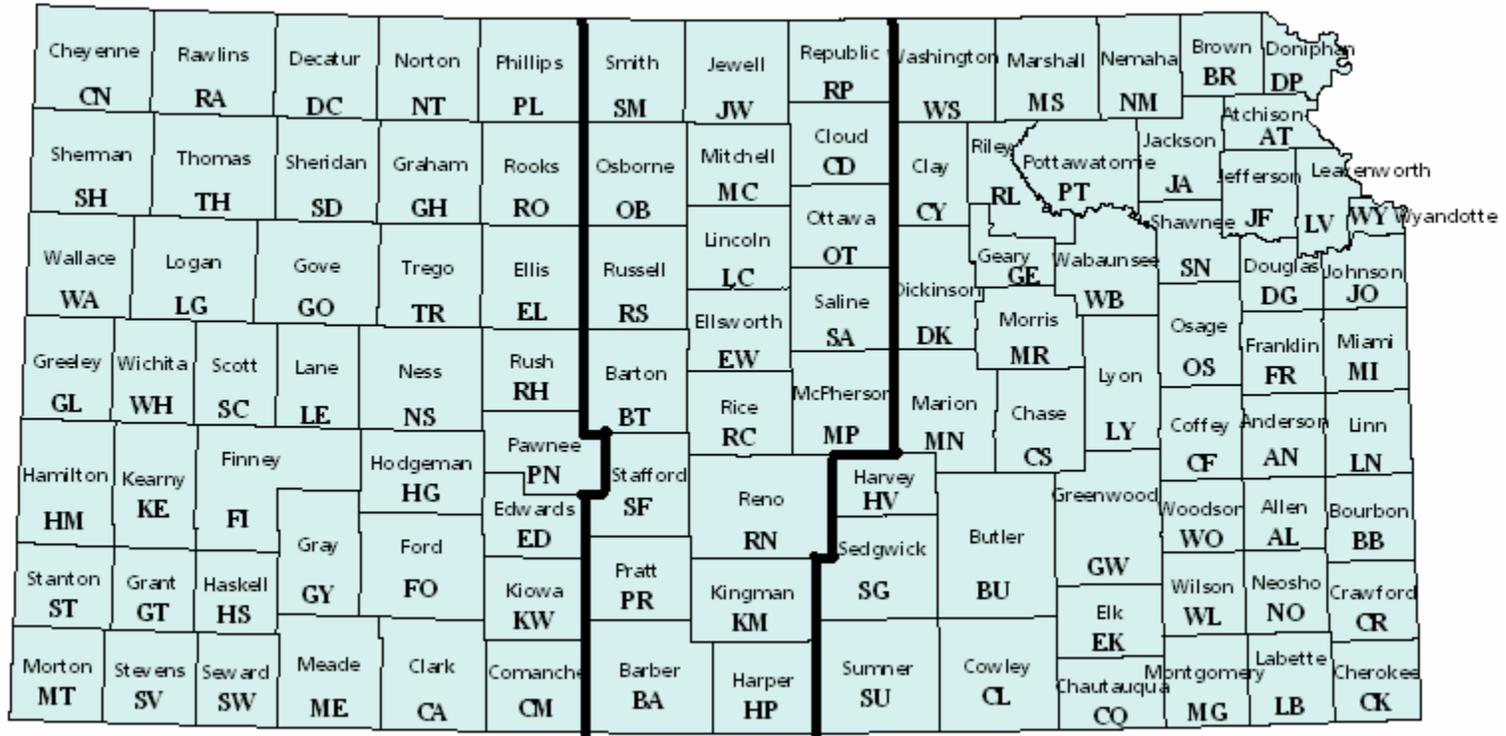
Attachment A

Kansas Department of Agriculture, Division of Water Resources, Rules and Regulations -
“stream definition”

K.S.A. 82a-301 to 305a **K.A.R. 5-40-1. Definitions.**

<http://www.accesskansas.org/kda/dwr/Laws-Rules/82a-301rr.htm>

(k) “Stream” means any watercourse that has a well-defined bed and banks, and that has a watershed above the geographic point in question that exceeds the following number of acres: (1) Zone three: 640 acres for all geographic points within any county west of a line formed by the adjoining eastern boundaries of Phillips, Rooks, Ellis, Rush, Pawnee, Edwards, Kiowa, and Comanche counties; (2) zone two: 320 acres for all geographic points within any county located east of zone three and west of a line formed by the adjoining eastern boundaries of Republic, Cloud, Ottawa, Saline, McPherson, Reno, Kingman, and Harper counties; and (3) zone one: 240 acres for all geographic points within any county located east of zone two. The stream need not flow continuously and my flow only briefly after a rain in the watershed. If the site of the project has been altered so that a determination of whether the well-defined bed and banks exist is not possible, it shall be presumed that they did exist if the watershed acreage criteria have been met, unless the owner of the project can conclusively demonstrate that the well-defined bed and banks did not exist before the construction of the project.



640 Ac.

320 Ac.

240 Ac.