

Kansas Administrative Regulations

Kansas Department of Agriculture—Division of Conservation

Article 12.—Water Right Transition Assistance Pilot Project Program

11-12-2. Eligible areas.

(a) Each eligible area shall meet one of the following criteria:

(1) The board of the GMD has designated the area as a target area, and this designation has been approved by the chief engineer. Each eligible area within a GMD shall require a formal action by the board of a GMD requesting the chief engineer to approve the designation of a target area. The request shall include documentation on the criteria used by the GMD to identify the area that is in need of aquifer restoration or streamflow recovery, which shall include the historic consumptive water use retirement goal for each proposed target area and the designation of any high-priority areas within the target area.

(2) Outside a GMD, the chief engineer has designated the area as a target area. Each eligible area outside a GMD shall require documentation of the criteria used by the chief engineer to identify the area that is in need of aquifer restoration or streamflow recovery, which shall include the historic consumptive water use retirement goal for each proposed target area and the designation of any high-priority areas within the target area.

(b) The chief engineer shall notify the division of all approved target areas and high-priority areas before January 1 of each grant funding cycle and shall provide technical data that will assist the division in considering the ranking of the areas relative to any previously designated target areas or high-priority areas.

(c) The ranking of target areas and high-priority areas relative to any previously designated target areas and high-priority areas shall be determined by the secretary, after review of the input from the division.

(Authorized by and implementing K.S.A. 2012 Supp. 2-1930 and 2-1930a; effective Aug. 3, 2007; amended Sept. 26, 2008; amended May 31, 2013.)

***** Authenticated Kansas Administrative Regulation *****