

Kansas Administrative Regulations

Kansas Department of Agriculture—Division of Water Resources

Article 3.—Appropriation Rights

5-3-18. Applicant's opportunity to submit additional information.

(a) If at any stage of processing an application, it is determined by the chief engineer that an application does not meet the safe yield criteria, the applicant shall be notified by the chief engineer in writing prior to denial of the application that the safe yield requirements have not been met and the reason for the proposed denial. In this written notice, the chief engineer shall allow the applicant 15 days to request time in which to submit additional information to show why the application should be approved.

(b) Within 15 days the applicant shall either submit the additional information or file a written request for a reasonable amount of time to submit an engineering report or similar type of hydrologic analysis to show that approval of the application will not cause the safe yield of the source of water supply to be exceeded.

(c) If the applicant fails to timely show to the satisfaction of the chief engineer that the application can be approved, then the application shall be denied by the chief engineer.

(Authorized by K.S.A. 82a-706a; implementing K.S.A. 1993 Supp. 82a-711; effective Nov. 28, 1994.)

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