

Kansas Administrative Regulations

Kansas Department of Agriculture—Division of Water Resources

Article 25.—Big Bend Groundwater Management District No. 5

5-25-9. Procedures for non-compliance with rules and regulations.

(a) The district's board or manager, any eligible voter or any person 18 years or older residing within the district may file a written complaint with the district alleging a violation of these rules and regulations, the management program, the groundwater management district act or the Kansas water appropriation act, as amended. The written complaint shall be filed at the district office.

(b) Within 30 days following the filing of the complaint, a representative of the district designated by the board shall investigate the complaint. If the representative of the district finds that a violation exists or did exist, the representative shall issue a written directive to the violator to come into compliance with the applicable rules and regulations, management program and laws, within a reasonable period of time.

(c) If the violator fails to comply with the directive of the representative within a reasonable period of time as determined by the board, the district may:

(1) seek to enjoin the violator's use of water by suitable action in district court until such time as the violator complies;

(2) seek the assistance of the chief engineer and attorney general of the state of Kansas to enjoin the violator's use of water until such time as the violator complies; or

(3) pursue other courses of action in the public interest.

(Authorized by K.S.A. 82a-706a and K.S.A. 82a-1028(o); implementing K.S.A. 82a-1028(n); effective May 1, 1980; amended May 1, 1981; amended April 19, 1996.)

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