

Kansas Administrative Regulations

Kansas Department of Agriculture—Division of Water Resources

Article 5.—Change in the Place of Use, the Point of Diversion or the Use Made of Water Under an Existing Water Right

5-5-14. Duties of owners of approvals of applications and water rights.

(a) All of the owners of an approval of application or a water right shall be responsible for taking all legally required actions necessary to maintain the validity of the approval of application or water right, including the filing of statutorily required fees, reports, and applications.

(b)(1) Unless the approval of application or the water right has been severed from the authorized place of use and unless the requirements specified in either paragraph (b)(2) or (b)(3) have been met, all of the owners of the authorized place of use shall be considered to be the owners of the approval of application or the water right.

(2) Unless the chief engineer has documentation to the contrary, an approval of application or water right for municipal use shall be considered to be owned by the entity owning and operating the water distribution system. A water right for an irrigation district shall be considered to be owned by the irrigation district.

(3) Unless the chief engineer has documentation to the contrary, an approval of application or water right that authorizes water to be used for either of the following shall be considered to be owned by the watershed district:

(A) Sediment control in a reservoir; or

(B) recreation in a reservoir constructed, maintained, and operated by a watershed district.

(Authorized by and implementing K.S.A. 82a-706a; effective Sept. 22, 2000; amended Oct. 31, 2008.)

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