

Kansas Administrative Regulations

Kansas Department of Agriculture—Division of Water Resources

Article 3.—Appropriation Rights

5-3-2. Priorities.

(a) Upon receipt in the office of the chief engineer of an acceptable application for permit to appropriate water for beneficial use, accompanied by the statutory application fee, a stamp showing the date and time of receipt shall be placed on the application form. The date and time of receipt of the application for any use, other than domestic, shall establish the priority of whatever appropriation right that may be subsequently perfected pursuant to the application; (b) The date and time of the receipt of an application for permit to appropriate water for domestic use or the date of the first use of water for such purpose, whichever is earlier, shall establish the priority of the appropriation right for domestic use. When the first use of water is earlier in time than the filing date of an application, the applicant shall furnish affidavits from disinterested parties to substantiate the date that water was first used from the appropriate water supply for domestic purposes.

(Authorized by K.S.A. 82a-706a; modified, L. 1978, ch. 460, May 1, 1978.)

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