

Kansas Administrative Regulations

Kansas Department of Agriculture—Division of Water Resources

Article 22.—Equus Beds Groundwater Management District No. 2

5-22-14. Maximum reasonable quantity for beneficial use.

(a) The maximum annual quantity of water deemed reasonable for irrigation use shall be the following:

- (1) 1.3 acre-feet per acre in Harvey, McPherson, and Sedgwick counties; and
- (2) 1.4 acre-feet per acre in Reno county.

(b) The following quantities shall be used to determine the maximum annual quantity of water deemed reasonable for nondomestic livestock and poultry use:

Livestock or poultry	Drinking water (gallons per day)	Units
Cattle, beef	15	per head
Cattle, dairy	35	per head
Swine finishing nursery sow and litter gestating sow	5 1 8 6	per head
Sheep	2	per head

Horses	12	per head
Poultry chickens turkeys	9 30	100 layers 100 turkeys
Calves (750 pounds or less)	10	per head
Goats	9	per head

(c) The maximum reasonable quantity of water that may be approved for nondomestic livestock and poultry use for applications approved on or after the effective date of this regulation shall be limited as specified in subsection (b), unless the applicant demonstrates with adequate supporting information that the quantity of water and rate of diversion requested meet the following conditions:

- (1) Are reasonable for the intended use;
- (2) are not wasteful; and
- (3) will not otherwise prejudicially and unreasonably affect the public interest.

(d) For all other types of nondomestic livestock, poultry, birds, and animals, the maximum quantity of water approved for beneficial use shall be reasonable. The applicant shall justify the quantity of water requested with information on peer water use, the historical measured usage, a professional recommendation, or any other relevant information.

(e) Each applicant who seeks to appropriate water for industrial use shall submit information to demonstrate that the annual quantity of water requested is reasonable for that particular type of industrial use. The information submitted shall include the quantity of water reasonable for that type of industrial use based on current industry standards and a use of technology that is economically and technically feasible for that industry at that location.

(f) Unless the applicant demonstrates a projected deviation from actual population trends, a reasonable annual quantity of water for municipal use shall not exceed the lesser of either of the following:

(1) 200 gallons per capita per day; or

(2) 110 percent of the last three years' average per capita per day usage, excluding industries that use over 200,000 gallons per year, times 365 days per year, times the projected population for the twentieth year after the application is filed, plus reasonable projected water use for industries that use over 200,000 gallons per year. Population projections shall be made using one of the following:

(A) Accepted statistical methods using historic population trends for the applicant; or

(B) data from the U.S. census bureau, Kansas water office population projections, or the Kansas census bureau. Projected deviations from historic population trends shall be justified by the applicant.

(g) The maximum annual quantity of water deemed reasonable to be provided from a well to a pond, lake, or reservoir that does not expose the current or historical water table shall be calculated using the formula $Q_c = [(E+S)/12] \times A_{sw} + F$ where:

(1) Q_c is the maximum quantity of water use in acre-feet;

(2) E is the potential net evaporation in inches per year;

(3) S is the seepage loss based on soil and subsoil in inches per year;

(4) A_{sw} is the surface area of the pond in acres as measured at the elevation of the lowest uncontrolled spillway; and

(5) F is the quantity of water in acre-feet necessary to fill the pond initially.

(h) The maximum annual quantity of water deemed reasonable to replace the evaporation from a groundwater pit shall be calculated using the formula $Q_c = (E/12) \times A_{wt}$ where:

(1) Q_c is the maximum annual quantity of evaporation of groundwater from the pit in acre-feet;

(2) E is the potential net evaporation in inches per year; and

(3) A_{wt} is the area of the water table exposed in the groundwater pit expressed in acres.

(Authorized by and implementing K.S.A. 82a-706a and K.S.A. 2003 Supp. 82a-1028; effective Dec. 10, 2004.)

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