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**Water Appropriation Program Manager**

# Kansas Water Appropriation Act

- The Kansas Water Appropriation Act was enacted on June 28, 1945.
- Water being used prior to that time could be authorized under a Vested Water Right.
- Water use subsequent to that date required the water user to file an application with the Chief Engineer of the Division of Water Resources.



# Appropriation Doctrine

- K.S.A. 82a-701 through K.S.A. 82a-737
- K.S.A. 82a-702 “Dedication of use of water. All water within the state of Kansas is hereby dedicated to the use of the people of the state, subject to the control and regulation of the state in the manner herein prescribed.”
- Appropriation Doctrine means. “First in Time is First in Right”.
- This principle is applied regardless of the type of use. K.S.A. 82a-707 provides; “...the date of priority of an appropriation right, and not the purpose of use, determines the right to divert and use water at any time when the supply is not sufficient to satisfy all water rights that attach to it.”



# DWR Laws, Regulations and Responsibilities

K.S.A. 82a-706

“The Chief Engineer shall enforce and administer the laws of the state pertaining to the beneficial use of water and shall control, conserve, regulate, allot and aid in the distribution of the water resources of the state for the benefits and beneficial uses of all its inhabitants in accordance with the rights of priority of appropriation.”



# Fundamental Attributes of a Kansas Water Right

Rate and Quantity  
Specific Place of Use  
Specific Point of Diversion  
Use made of Water  
Priority Date



# New Applications

- Water is appropriated based on safe-yield
- New appropriations cannot impair existing water rights
- Water rights can be administered if impairment occurs



# Change Applications

K.S.A. 82a-708b

- Point of Diversion
- Place of Use
- Use Made of Water
  
- Must not increase consumptive use
- May not impair existing rights
- Must relate to the same “local source of supply.”

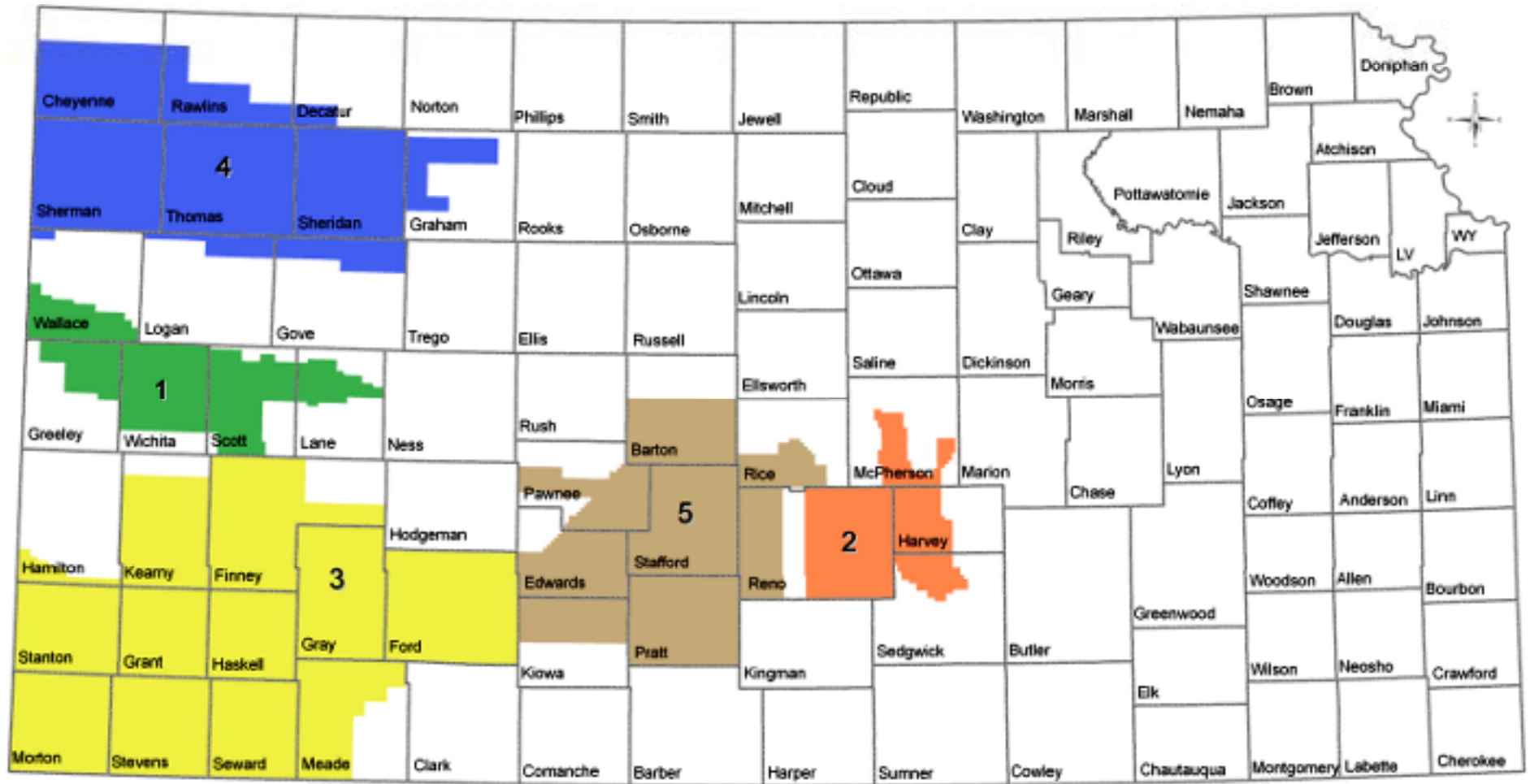


# Groundwater Management District Act

- K.S.A. 82a-1020 et seq.
- Provides for the establishment of management areas throughout the state.
- Provides for more specific management plans for those areas.
- Provides for more local control of the water resources of the district, subject to the Chief Engineer's approval.
- Provides under 82a-1036 for Intensive Groundwater Use Control areas.



# Groundwater Management Districts



Western Kansas GMD #1   Equus Beds GMD #2   Southwest Kansas GMD #3   Northwest Kansas GMD #4   Big Bend GMD #5

**Questions?**

