

Kansas Water Rights

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Why Do I Need a Water Right?

Water, like other natural resources enjoyed so bountifully by Kansans, is protected for the use and benefit of the citizens of this state. Water should be used wisely and good conservation measures should be practiced by all water users.

The Kansas Water Appropriation Act protects both the people's right to use Kansas water and the state's supplies of groundwater and surface water for the future.

The law is administered by the Kansas Department of Agriculture's Division of Water Resources, which issues permits to appropriate water, regulates usage, and keeps records of all water rights in the state. It is illegal for individuals in Kansas to use water without holding a vested right or applying for, and receiving a permit to appropriate water from the Division of Water Resources.

The exception is water used solely for domestic purposes - that is, water primarily used for the household, watering livestock on pasture, or watering up to two acres of lawn and gardens. No permit is needed for that class of water usage.

The Water Appropriation Act affects all Kansans. The Water Appropriation Act is Kansas law. Violating it can subject a person to jail time and a fine. If you are a farmer who uses irrigation to grow crops, it requires you to obtain a permit and to make yearly reports of the water you use. If you are a city dweller who drinks, washes with, or cavorts in, city water, you likely are able to do so because your municipality has a water right or rights.

The right to use Kansas water is based on the principle of "first in time - first in right." In times of shortage, that means the earliest water right or permit holders have first rights to use the water. The maintenance of water right and permit records allows Kansas water to be apportioned fairly.

Why is it so important to follow proper procedures to obtain a water right and report use of water? One reason is to protect the investment in your right to divert water for beneficial use on your farm for irrigation, a feedlot, recreational reservoir, or in your municipality, water supply district, or industry. Another reason is to protect Kansas water resources for tomorrow and future generations. Finally, you should remember that the Water Appropriation Act is Kansas law. Violating that law can subject you to a maximum of six months in jail and a \$500 fine.

A Step by Step Guide to Obtaining a Water Right is available at

<http://www.ksda.gov/appropriation/content/240>

The Kansas Water Resources Publication is also a good resource that is available at the above site.

Where to Find Help

You can contact the Division of Water Resources at the Kansas Department of Agriculture, 109 SW 9th Street, Second Floor, Topeka, Kansas 66612-1283, or call (785) 296-3717.