

2023 Kansas Statutes

82a-732. Annual water use report required; penalty for violations. (a) The owner of a water right or permit to appropriate water for beneficial use, except for domestic use, shall file or cause to be filed an annual water use report for the previous calendar year on a form prescribed by the chief engineer of the division of water resources of the Kansas department of agriculture on or before March 1 following the end of the previous calendar year. The report shall completely and accurately set forth such water use information as requested by the chief engineer.

(b) Any owner of a water right or permit to appropriate water for beneficial use, except for domestic use, who fails to timely file a water use report or other documents required under the provisions of subsection (a) shall be subject to a civil penalty in an amount not to exceed \$1,000 per water right. In addition to assessing a civil penalty as provided in this section, in the event the owner of a water right or permit to appropriate water for beneficial use fails to file or cause to be filed an annual water use report by June 1 of the calendar year in which it is due, the chief engineer may issue an order indefinitely suspending all water use under such water right or permit to appropriate water for beneficial use until such time as the annual water use report has been submitted or the chief engineer has determined that water use has been otherwise sufficiently documented with the division. The chief engineer upon a finding that the owner of a water right or permit to appropriate water for beneficial use has failed to file or cause to be filed such a report may impose a civil penalty, suspend the water right indefinitely, or require use of telemetry for the purpose of documentation.

(c) Any person filing a document knowing it to contain any false information as to a material matter shall be guilty of a class C misdemeanor.

(d) All fines collected by the chief engineer pursuant to this section shall be remitted to the state treasurer as provided in K.S.A. 82a-731, and amendments thereto.

(e) This section shall be part of and supplemental to the water appropriation act, K.S.A. 82a-701 et seq., and amendments thereto.

History: L. 1988, ch. 395, § 1; L. 1991, ch. 292, § 4; L. 2004, ch. 101, § 144; L. 2016, ch. 71, § 5; July 1.