

IMPORTANT LAW AFFECTING WATER USERS

K.S.A. 82a-732 requires the owner of a water right or permit to appropriate water for beneficial use, except for domestic use, to file a complete and accurate water use report on or before March 1, following the end of the previous calendar year.

Any owner of a water right or permit to appropriate water for beneficial use, who fails to timely file a complete and accurate water use report, is subject to a civil penalty not to exceed \$1,000.00 per water right. If the water right owner 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. Any person filing a water use report knowing it contains false information shall be guilty of a class C misdemeanor.

Please be advised, if you are filing this water use report for the landowner of this water right and you fail to file the water use report by March 1, the landowner, will be held responsible for any fines or penalties and will receive future correspondence in regard to the delinquent water use report.

If a complete and accurate water use report is not received in the office of the Chief Engineer by March 1, 2018, the landowner will be assessed a CIVIL PENALTY for each water right or permit as follows:

WATER USE REPORT RECEIVED

January 1 – March 1, 2018

March 2 – June 1, 2018

AFTER JUNE 1, 2018

CIVIL PENALTY PER WATER RIGHT OR PERMIT

NO PENALTY

\$250.00 PER FILE NUMBER

\$1,000.00 PER FILE NUMBER

Over Pumping Severity Level **NEW K.A.R. 5-14-12 Over Pumping Violations**

Penalty Category	Severity Level A <24 hours	Severity Level B 24-72 hours over	Severity Level C >72 hours
1 (no prior offense*)	Written notice of non-compliance	\$1,000 per day and a reduction in quantity equal to twice the quantity over pumped, not to exceed the annual authorized quantity	\$1,000 per day and a reduction in quantity equal to three times the quantity over pumped, not to exceed the annual authorized quantity
2 (1 prior offense)	\$1,000 per day and a reduction in quantity equal to twice the quantity over pumped, not to exceed the annual authorized quantity	\$1,000 per day and a one-year suspension	\$1,000 per day and a three-year suspension
3 (2 prior offenses)	\$1,000 per day and a one-year suspension	\$1,000 per day and a three-year suspension	\$1,000 per day and a four-year suspension
4 (>3 prior offenses)	\$1,000 per day and a three-year suspension	\$1,000 per day and a four-year suspension	\$1,000 per day and a five-year suspension