

# RULES AND REGULATIONS KANSAS WATER APPROPRIATION ACT

(Excerpted)  
November 2019

**K.A.R. 5-25-1. Definitions.** As used in these regulations for the Big Bend groundwater management district no. 5, unless the context clearly requires otherwise, the following words and phrases shall have the meaning ascribed to them in this regulation:

(a) Aquifer means a geologic formation capable of yielding water in a quantity sufficient to supply water to a spring or pumping well.

(b) Baseflow means groundwater that seeps, flows, or is otherwise naturally discharged from an aquifer into a stream.

(c) Baseflow node means an artificial point located in the channel of a stream for the purpose of allocating a proportional amount of the baseflow to be considered when evaluating a new application to appropriate water from a proposed point of diversion located within two miles of the node.

(d) Baseflow node allocation means the annual quantity of water assigned to a baseflow node expressed in acre-feet per year. The baseflow node allocation shall be based on the natural discharge to a stream, which shall be the rate of flow in the stream that is equaled or exceeded 90 percent of the time.

(e) Bedrock aquifer means any consolidated material and unconsolidated material that is older than the Dakota formation of the Dakota aquifer system, as defined in K.A.R. 5-1-1, and that will yield water in a quantity sufficient to supply a spring or a pumping well.

(f) Board means the board of directors constituting the governing body of the Big Bend groundwater management district no. 5.

(g) Dakota aquifer means that portion of the Cretaceous Dakota formation that is capable of yielding water in a quantity sufficient to supply water to a spring or pumping well.

(h) District means the Big Bend groundwater management district no. 5.

(i) Neat cement means one 94-pound bag of Portland cement mixed with five to six gallons of clean water.

(j) Portland cement means class A, type I cement.

(k) Stream means any watercourse, or part of a watercourse, with a well-defined bed and banks that flows continuously during the calendar year, except during a drought.

(l) Sustainable yield means the long-term yield of the source of supply, including hydraulically connected surface water or groundwater, allowing for the reasonable raising and lowering of the water table.

(m) Well means any excavation that is drilled, cored, bored, washed, driven, dug, or otherwise constructed, either by nature or by man, when the proposed use of the excavation is for the acquisition, diversion, or artificial recharge of groundwater. (Authorized by K.S.A. 82a-706a and K.S.A. 2002 Supp. 82a-1028; implementing K.S.A. 82a-706a and K.S.A. 2002 Supp. 82a-1028; effective May 1, 1980; amended May 1, 1987; amended April 19, 1996; amended Oct. 31, 2003.)