

Agency 5  
**Kansas Department of Agriculture—  
Division of Water Resources**

**Article 11.—ASSURANCE DISTRICTS**

**5-11-1. Definitions.** As used in these rules and regulations and the water assurance program act by the division of water resources in the administration of the water assurance program act, unless the context clearly requires otherwise, the following words and phrases shall have the meaning ascribed to them in this section.

(a) “Board” means the board of directors of a water assurance district.

(b) “Chief engineer” means the chief engineer of the division of water resources of the Kansas state board of agriculture. (Authorized by K.S.A. 82a-1345(e); implementing K.S.A. 82a-1334; effective May 31, 1994.)

**5-11-2. Determination of benefits.** (a) A water assurance district member may apply in writing to the board to be removed as a member of the district if that member is no longer receiving benefits from supplementing the stream by assurance reservoir releases because:

(1) the member no longer has a water right or permit; or

(2) the member’s water right or permit has been reduced so that the member is no longer receiving benefits.

(b) The board shall forward the request to be removed as a member from the district to the chief engineer, who shall determine whether the member will be receiving benefits. The chief engineer shall forward the results of that determination to the board in writing within a reasonable time.

(1) If the chief engineer determines that the member will continue to receive benefits, the chief engineer shall notify the board and the member’s application to be removed shall be dismissed by the board.

(2) If the chief engineer determines that the member will no longer be receiving benefits, the chief engineer shall notify the board and it shall be determined by the board whether the member will be removed from the district and the terms of removal. (Authorized by K.S.A. 82a-1345(e); implementing K.S.A. 82a-1334; effective May 31, 1994.)