

151.170 Permits to be specific -- Issuance -- Amendment.

- (1) All permits issued under KRS 151.140 shall be specific in terms of quantity, time, place and rate of diversion, transfer or withdrawal of public water. Such permits represent a limited right of use and do not vest ownership nor an absolute right to withdraw or use the water.
- (2) The cabinet shall issue a permit to the applicant if an investigation by the cabinet reveals that the quantity, time, place or rate of withdrawal of public water will not be detrimental to the public interests or rights of other public water users. No permit shall be denied to a responsible applicant who has established an amount of water for which he has a need for a useful purpose, provided the requested amount of water is available.
- (3) A permit may be issued for an amount of water withdrawal less than that applied for, if found by the cabinet to be in the best interests of the public or other water users.
- (4) Permits for the withdrawal, transfer, or diversion of public water may be amended at any time upon application to the cabinet by the withdrawer, or by the cabinet when the reports indicate that the withdrawer is using a substantially different amount than permitted.

Effective: July 13, 1984

History: Amended 1984 ch. 111, sec. 85, effective July 13, 1984. -- Amended 1974 Ky. Acts ch. 285, sec. 5. -- Created 1966 Ky. Acts ch. 23, sec. 21.