

151.200 Temporary allocation of water supply among users -- Permit for transfer or diversion of water between streams or watersheds.

- (1) Notwithstanding the existence of any permits for the withdrawal, diversion, or transfer of public water, in times of drought, emergency, or other similar situations requiring a balancing of the rights and available water between water users, the cabinet, upon declaration of a water emergency by the Governor, may temporarily allocate the available public water supply among water users and restrict the water withdrawal rights of permit holders, until such time as the condition is relieved and the best interests of the public are served.
- (2) The cabinet, with the approval of the secretary, may issue a permit for the transfer or diversion of public water from one (1) stream or watershed area to another, where such transfer is consistent with the wise use of the public water of the Commonwealth and is in the best interests of the public. Prior to issuance of the permit the applicant shall publish a public notice soliciting written comments on the proposed permit in the newspaper or newspapers having greatest circulation in the area of the stream reach from which the withdrawal is taken. The applicant shall also send written notice to water withdrawal permit holders that might be affected by the permit. Thirty (30) days shall be allowed for public comments on the proposed permit.

Effective: July 15, 1986

History: Amended 1986 Ky. Acts ch. 183, sec. 1, effective July 15, 1986. -- Created 1966 Ky. Acts ch. 23, sec. 24.