

151.210 Use of water by landowner for domestic purposes -- Impounding and conserving water, permitted when.

- (1) Any owner of land contiguous to public water shall at all times have the right to the use of water therefrom to satisfy his needs for domestic purposes, which shall include water for household purposes, drinking water for poultry, livestock and domestic animals. The use of water for such domestic purposes shall have priority and be superior to any and all other uses.
- (2) An owner or group of owners of land contiguous to public water, operating under a withdrawal permit, shall have the right to impound and conserve water for their use by impounding such water behind a dam in the natural stream bed or on their land, when the flow of the stream or level of the lake is such that the impounding will not impair existing uses, or will not unreasonably interfere with a beneficial use by other water users. An obstruction placed across a natural stream shall be approved by the cabinet as provided in KRS 151.250, and shall provide an outlet for the release of water which the owner is not entitled to use or withdraw under KRS Chapters 146, 149, 151, 262, 350.029 and 433.750 to 433.757, and the owner shall operate the outlet in accordance with this provision.

History: Created 1966 Ky. Acts ch. 23, sec. 25.