When is a DWR permit required?

State of Kansas statutes and regulations charge Water Structures in the Division of Water Resources to administer a permit program. Therefore, before planning or starting construction of or change to a water structure, determine whether your project needs a permit.

Permits are required if the project involves:
- Construction, modification or repair of a dam that is 25 feet or more in height, or six feet or more in height with the ability to store 50 acre-feet or more of water
- Construction, modification or repair of a stream obstruction in a regulated stream such as a bridge, culvert, low-water crossing, boat ramp, pipeline crossing, non-jurisdictional dam, or other obstruction except for stream obstruction projects (other than dams) that are more than 300 feet from other property lines, not located in incorporated area, and on a stream with less than 640 acres of drainage area
- Construction or repair of a channel change in a regulated stream
- Excavation or dredging within the banklines of a regulated stream
- Construction, modification or repair of a regulated levee within the floodplain of a regulated stream
- Placement of a regulated floodplain fill within the floodplain of a regulated stream

In Kansas, a stream is any watercourse that has or has had a well-defined bed and well-defined banks and that has a watershed exceeding the allowable acreage indicated on the chart to the right. If you are planning to alter a stream in your zone that has drainage area greater than allowable amounts, contact the Water Structures Program, 109 SW 9th Street, Topeka, Kansas 66612, 785-296-2933. Also view the Structures website and applicable forms.

Other permits may be required, including but not limited to a permit to Appropriate Water from the DWR Water Appropriation Program, construction permits from county and local government, Corps of Engineers Clean Water Act permit, Kansas Department of Health and Environment permit for Stormwater Run-Off and Threatened and Endangered Species permit from Department of Kansas Wildlife Parks and Tourism.