

HOUSE BILL No. 2920

By Committee on Appropriations

3-8

9 AN ACT concerning appropriation of water for beneficial use; amending
10 K.S.A. 82a-734 and repealing the existing section.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 82a-734 is hereby amended to read as follows: 82a-
14 734. (a) *As used in this section, "substantially adverse impact on the area"*
15 *means exposing the groundwater table to evaporation that will cause an*
16 *unreasonable raising or lowering of the groundwater table or a direct*
17 *impairment to a groundwater or surface water right.*

18 (b) An operator will notify the chief engineer of the division of water
19 resources of the state board of agriculture of the location and area extent
20 of any existing or proposed sand and gravel pit to be excavated, expanded
21 or operated by the operator.

22 ~~(b)~~ (c) Unless the chief engineer determines that it has a substantially
23 adverse impact on the area groundwater supply, the evaporation of water
24 exposed as the result of the opening or operation of sand and gravel pits
25 shall not be construed to be a beneficial use or diversion of water for the
26 purposes of the Kansas water appropriation act, K.S.A. 82a-701 *et seq.*,
27 and amendments thereto.

28 ~~(c)~~ (d) Evaporation from sand and gravel pits, as calculated by the
29 chief engineer, will be reported as an industrial use to the director of
30 taxation for the purpose of assessing the water protection fee pursuant to
31 K.S.A. ~~82a-954~~ 82a-954, and amendments thereto.

32 Sec. 2. K.S.A. 82a-734 is hereby repealed.

33 Sec. 3. This act shall take effect and be in force from and after its
34 publication in the statute book.