

CHAPTER 176

SENATE Substitute for HOUSE BILL No. 2860*

AN ACT concerning appropriation of water for beneficial use; relating to public wholesale water supply districts located in Douglas county.

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

Section 1. (a) Notwithstanding any other provision of law to the contrary, the chief engineer shall not approve an application for a permit to appropriate water submitted on or after January 1, 2008, by any public wholesale water supply district located in Douglas county or by any public agency, as defined in K.S.A. 19-3546, and amendments thereto, that has entered into an agreement for the purpose of organizing any public wholesale water supply district located in Douglas county pursuant to K.S.A. 19-3547, and amendments thereto, unless such district or such public agency acquired legal access to the proposed point of diversion:

(1) Prior to January 1, 2008;

(2) by voluntary means including, but not limited to, purchase or gift;

or

(3) by means other than voluntary, not less than 10 years prior to application for such permit.

(b) The provisions of this section shall be a part of and supplemental to the Kansas water appropriation act.

(c) In the 2008 and 2009 interim, a special committee designated by the legislative coordinating council shall study and investigate issues concerning the use of eminent domain as it relates to water rights and other issues concerning water rights.

(d) The provisions of this section shall expire on June 30, 2010.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved May 18, 2008.

Published in the *Kansas Register* May 29, 2008.
