

5-3-4c. Upon failure to render a decision within 180 days of receipt of a complete application, the application fee is subject to refund upon request.

(c) Except as otherwise provided in subsections (d), (e) and (f) and (g), each application for a permit to appropriate water for storage, except applications for permits for domestic use, shall be accompanied by an application fee fixed by this section for the appropriate category of storage-acre feet in accordance with the following:

Storage-Acre Feet	Fee
0 to 250.....	\$200
More than 250.....	\$200 + \$20 for each additional 250
Storage-Acre Feet	Fee
0 to 250.....	\$100
More than 250.....	\$100 + \$10 for each additional 250

On and after July 1, 2018, the application fee shall be fixed by this section for the appropriate category of storage-acre feet in accordance with the following:

Storage-Acre Feet	Fee
0 to 250.....	\$100
More than 250.....	\$100 + \$10 for each additional 250

The chief engineer shall render a decision on such permit applications within 150 days of receiving a complete application except when the application cannot be processed due to the standards established in K.A.R. 5-3-4c. Upon failure to render a decision within 180 days of receipt of a complete application, the application fee is subject to refund upon request.

(d) Each application for a term permit pursuant to K.S.A. 2015 Supp. 82a-736, and amendments thereto, shall be accompanied by an application fee established by rules and regulations of the chief engineer in an amount not to exceed \$400 for the five-year period covered by the permit.

(e) For any application for a permit to appropriate water, except applications for permits for domestic use, which proposes to appropriate by both direct flow and storage, the fee charged shall be the fee under subsection (b) or subsection (c), whichever is larger, but not both fees.

(f) Each application for a permit to appropriate water for water power or dewatering purposes shall be accompanied by an application fee of \$100 plus \$200 for each 100 cubic feet per second, or part thereof, of the diversion rate requested in the application for the proposed project.

(g) Each application for a permit to appropriate surface water that otherwise leaves the state, and is for a water transfer project proposed for multiple uses, shall be accompanied by an application fee of \$100 plus \$200 for each 100 cubic feet per second, or part thereof, of the diversion rate requested in the application for the proposed project. An additional fee may be assessed by the chief engineer if additional expenses are

1 incurred in reviewing an application until such application is approved or
2 denied. The maximum total fee for such application shall not exceed the
3 fee provided in subsection (e). There shall be no deadline for the chief
4 engineer to render a final decision on such application.

5 (h) All fees collected by the chief engineer pursuant to this section
6 shall be remitted to the state treasurer as provided in K.S.A. 82a-731, and
7 amendments thereto.

8 Sec. 2. K.S.A. 2015 Supp. 82a-708a is hereby repealed.

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

*, however the application may be dismissed if the chief engineer has good cause to believe that the applicant is unable to demonstrate that the application is likely to be approvable in a reasonable period of time.

(language borrowed/adapted from KAR 5-3-4c)