**Multi-year Flex Accounts; Water Bank; SB 205**

**SB 205** amends law concerning water rights, the establishment of multi-year flex accounts, and participation in a water bank.

The bill takes effect upon publication in the *Kansas Register*.

**Multi-year Flex Account Participation**

The bill requires the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture (KDA), to approve a complete application for the establishment of a multi-year flex account (MYFA) that was submitted to the Chief Engineer on or before December 31, 2022, if a water right participating in a water bank meets the requirements of the MYFA statute and would have been approved if not for the water right’s participation in a water bank. This portion of the bill sunsets on December 31, 2023.

**Prohibition of Participation in a Multi-year Flex Account**

The bill prohibits a water right, or any portion of a water right, that has been deposited, enrolled, or placed in a safe deposit account associated with a water bank from enrolling in a MYFA that begins during a calendar year when the water from the water right was withdrawn from a safe deposit account.

The bill also prohibits water from a water right that has been deposited, enrolled, or placed in a safe deposit account from being withdrawn while the water right is enrolled in a MYFA.

**Enrollment in a Multi-year Flex Account**

The bill states that a water right will be considered enrolled in a MYFA until the end of the calendar year in which the MYFA permit expires, even if the MYFA allocation is exhausted prior to the expiration of the MYFA permit.

**Clarification Changes**

The bill clarifies language regarding the water users in provisions requiring approval of certain MYFA applications and prohibiting water rights that have been deposited in a water bank safe deposit account from enrolling in a MYFA in certain circumstances.