

SENATE BILL No. 704

By Senators Pine, Francisco and Taddiken

5-29

9 AN ACT concerning appropriation of water for beneficial use; relating
10 to public wholesale water supply districts located in Douglas county;
11 amending Section 1 of 2008 Senate Substitute for House Bill No. 2860
12 and repealing the existing section.
13

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

15 Section 1. Section 1 of 2008 Senate Substitute for House Bill No.
16 2860 is hereby amended to read as follows: (a) Notwithstanding any other
17 provision of law to the contrary, the chief engineer shall not approve an
18 application for a permit to appropriate water submitted on or after Jan-
19 uary 1, ~~2008~~ 2007, by any public wholesale water supply district located
20 in Douglas county or by any public agency, as defined in K.S.A. 19-3546,
21 and amendments thereto, that has entered into an agreement for the
22 purpose of organizing any public wholesale water supply district located
23 in Douglas county pursuant to K.S.A. 19-3547, and amendments thereto,
24 unless such district or such public agency acquired legal access to the
25 proposed point of diversion:

26 (1) Prior to January 1, 2008;

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

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

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

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

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

38 Sec. 2. Section 1 of 2008 Senate Substitute for House Bill No. 2860
39 is hereby repealed.

40 Sec. 3. This act shall take effect and be in force from and after its
41 publication in the Kansas register.