

HOUSE BILL No. 2309

By Committee on Federal and State Affairs

2-6

9 AN ACT concerning the appropriation of water; amending K.S.A. 82a-
10 710 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-710 is hereby amended to read as follows: 82a-
14 710. Upon receipt of the application it shall be the duty of the chief
15 engineer to endorse thereon the date of its receipt and assign a number
16 to the same. If upon examination the application is found to be defective,
17 inadequate or insufficient to enable such official to determine the nature
18 and amount of the proposed appropriation, it shall be returned for cor-
19 rection or completion or for other required information. No application
20 shall lose its priority of filing on account of such defects, provided ac-
21 ceptable data, proofs, maps, plats, plans and drawings are filed in the
22 office of the chief engineer within thirty days following the date of the
23 posting of the return of such application or such further time not ex-
24 ceeding one year as may be given by the chief engineer.

25 All maps, plats, plans and drawings shall conform to prescribed uniform
26 standard as to materials, size, coloring and scale, and shall show: (a) The
27 source from which the proposed appropriation is to be taken, (b) all pro-
28 posed dams, dikes, reservoirs, canals, pipe lines, power houses and other
29 structures for the purpose of storing, conveying or using water for the
30 purpose approved and their positions or courses in connection with the
31 boundary lines and corners of the lands which they occupy. Land listed
32 for irrigation shall be shown in government subdivisions or fractions
33 thereof. Default in the refiling of any application within the time limit
34 specified shall constitute a forfeiture of priority date and the dismissal of
35 the application.

36 *Before any application may be considered for approval by the chief*
37 *engineer, the applicant shall provide proof of legal access to the proposed*
38 *point of diversion by a showing of consent of the landowner, or such*
39 *landowner's authorized representative, in writing or by a showing of legal*
40 *control of the property in question. If required proof cannot be shown*
41 *within 30 days following the filing of the application, then the chief en-*
42 *gineer shall dismiss the application and any priority assigned thereto.*

43 Sec. 2. K.S.A. 82a-710 is hereby repealed.

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