

2012 Kansas Statutes

82a-735. Sunflower ammunition plant water rights. (a) The state of Kansas shall have the sole authority to enter into negotiations, agreements and contracts with the federal government regarding water rights, file number 37 and file number 38, appurtenant to federal property located in Johnson county. The Kansas water office, on behalf of the state, shall enter into such negotiations, agreements and contracts when the Kansas water office deems it necessary for the achievement of policies of the state relative to the water resources of the state. Such negotiations, agreements and contracts shall be for the purpose of:

(1) The return of such water rights to the state, in which case the rights shall be terminated and their priority forfeited; or

(2) the acquisition of such water rights by the state.

(b) Any agreement or contract entered into pursuant to this section shall be binding on the state only upon adoption by the legislature of a concurrent resolution approving such agreement or contract.

(c) If water rights are acquired by the state pursuant to this section:

(1) The Kansas water office, on behalf of the state, shall accept and hold such water rights in trust;

(2) the Kansas water office shall have no authority to assign, transfer or otherwise dispose of such water rights;

(3) all contractual agreements associated with such water rights shall remain in effect and the provisions of K.S.A. 82a-718, and amendments thereto, shall not apply to such water rights while held by the Kansas water office; and

(4) the Kansas water office shall make all annual payments associated with such acquired water rights to any water assurance district under the provisions of the water assurance program act until such time as such water rights are transferred to another person or entity.

(d) Changes to any water rights acquired by the state pursuant to this section shall be in accordance with the Kansas water appropriation act, including the provisions of K.S.A. 82a-708b, and amendments thereto.

History: L. 1999, ch. 122, § 2; July 1.