

42-359. Examination of petition; creation of district; form. It shall be the duty of such board of county commissioners at their first regular meeting after the filing of such petition, or within thirty days thereafter, to examine such petition, make such investigation and hear such testimony as they shall deem proper, and if from the examination of such petition and such investigation and such testimony said commissioners shall find that said petition is signed by three-fourths of the owners of land within said proposed district who are residents of said county, and that the erection of such irrigation district will be beneficial to the owners of land within said district, said board of county commissioners shall make an order creating such district and designate it, "Irrigation district number _____, of _____ County, Kansas." (Inserting in the blank spaces therein the number of the district in consecutive numbers, according to the order of formation of the same in said county, and the name of said county.) Which order shall define the boundaries of said district and shall be recorded upon the journal of said board, and from thenceforth such district shall be a body corporate, having all the powers and responsibilities belonging to other public corporations created under and by virtue of the statutes of the state of Kansas, including the power of eminent domain: Provided, That nothing herein shall be so construed as to grant to such corporation power to condemn or acquire in any other manner than by purchase, any irrigation works belonging to any other person, company or corporation.

History: L. 1891, ch. 133, art. 7, § 3; R.S. 1923, 42-359; L. 1929, ch. 204, §2; March 16.