

**82a-2301. Lower Smoky Hill Water Supply Access Program; definitions.** As used in K.S.A. 2014 Supp. 82a-2301 through 82a-2324, and amendments thereto, unless the context otherwise requires:

- (a) "Access water" means water stored in water supply access storage of a reservoir under a water reservation right and provided as supplemental water to eligible water right holders.
- (b) "Chief engineer" means the chief engineer of the Kansas department of agriculture, division of water resources.
- (c) "District" means the lower smoky hill water supply access district.
- (d) "Eligible water right holder" means a person holding a water right or permit, pursuant to K.S.A. 82a-701 et seq., and amendments thereto, to appropriate surface water from the program area for municipal, industrial, irrigation or recreation purposes as determined by the Kansas water office. Eligible water right holders for irrigation purposes shall be limited to the lower smoky hill river special irrigation district.
- (e) "Landowner" means a person who is the record owner of any real estate within the boundaries of the district or who has an interest therein as contract purchaser of 40 or more contiguous acres in the district not within the corporate limits of any municipality. Owners of oil leases, gas leases, mineral rights, easements, or mortgages shall not be considered landowners by reason of such ownership.
- (f) "Member" means an eligible water right holder who participates in and is subject to the rules and regulations of a water supply access district.
- (g) "Person" means any natural person, private corporation, municipality or other public corporation.
- (h) "Program" means the lower smoky hill water supply access program.
- (i) "Program area" means the area of the smoky hill river below the kanopolis reservoir dam to the confluence of the smoky hill and saline rivers.
- (j) "Special irrigation district" means the lower smoky hill water supply special irrigation district.
- (k) "Water supply access storage" means water held by the Kansas water office in kanopolis reservoir under contract with the United States army corps of engineers and so designated by the Kansas water office as water supply access storage for the purposes of the lower smoky hill water supply access program.

**History:** L. 2011, ch. 89, § 1; July 1.