

**42-120. Powers of canal corporations.** Every canal corporation, for the purpose of irrigation, shall, in addition to the powers heretofore conferred, have power:

*First.* To cause such examination and survey for its proposed canal to be made as may be necessary to the selection of the advantageous route, and for such purpose, by its officers, agents or servants, to enter upon the lands or waters of any person.

*Second.* To take and hold such voluntary grants of real and other property as shall be made to it to aid in the construction and maintenance of its canal, ditches, and sluices.

*Third.* To lay out a canal, not exceeding fifty (50) feet in width, and to construct the same; and for the purpose of cuttings and embankments, to take as much more land as may be necessary for the proper construction and security of the canal or any of its branch ditches or sluices.

*Fourth.* To construct its canal across, along or upon any stream of water.

*Fifth.* To furnish water for irrigation at such rates as such organization or corporation may by its bylaws and regulations prescribe.

*Sixth.* To borrow such sums of money as may be necessary for completing and finishing or operating their canal, and to issue and dispose of their bonds for any amount so borrowed, and to mortgage their corporate property and franchises to secure the payment of any debt contracted by the corporation for the purposes aforesaid. Any property appropriated by such corporation shall be acquired under the power of eminent domain in accordance with K.S.A. 26-501 to 26-516, inclusive.

**History:** G.S. 1868, ch. 23, § 89; R.S. 1923, 42-120; L. 1963, ch. 234, § 76; Jan. 1, 1964.