

Kansas Administrative Regulations

Kansas Department of Agriculture—Division of Conservation

Article 10.—Water Rights Purchase Program

11-10-4. Procedures.

(a) Each local entity shall designate a period in which to accept offers from eligible water right holders.

(b) The minimum period to accept offers shall be two weeks.

(c) The local entity shall notify all water right holders located in the priority area of the local entity's intent to purchase water rights and of the procedures to be followed in making an offer.

(d) This notification of intent to purchase water rights shall be published once each week for two consecutive weeks in a newspaper of general circulation in each of the counties encompassing the priority area. Both publications shall occur prior to the close of the offer acceptance period.

(e) Each water right holder wanting to make an offer shall submit the offer to the local entity in a sealed envelope, which shall be opened by the local entity at the close of the offer acceptance period.

(f) The local entity shall determine the water right or rights that the entity wishes to purchase by ranking each water right according to at least one of the following:

(1) The water right having the most beneficial impact on stream recovery or aquifer restoration within the identified priority area; or

(2) the lowest offer per acre-foot of water contained on the water right.

(g) The local entity shall submit, for commission review, the water right or rights proposed for purchase on forms provided by the commission.

(h) Upon favorable review by the commission, the local entity shall submit to the commission the water right or rights selected for purchase on forms prescribed by the commission.

(i) The local entity or the commission shall have the right to reject any water right purchase offer.

(Authorized by and implementing K.S.A. 2-1915, as amended by L. 2002, ch. 37, sec. 3, and K.S.A. 2-1919; effective Aug. 23, 2002.)

***** Authenticated Kansas Administrative Regulation *****