AN ACT concerning water; relating to multi-year flex accounts; amending
K.S.A. 2015 Supp. 82a-708c and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:
Section 1. K.S.A. 2015 Supp. 82a-708c is hereby amended to read as
follows: 82a-708c. (a) A term permit is a permit to appropriate water for a
limited specified period of time in excess of six months. At the end of the
specified time, or any authorized extension approved by the chief engineer,
the permit shall be automatically dismissed, and any priority it may have
had shall be forfeited. No water right shall be perfected pursuant to a term
permit.
(b) Each application for a term permit to appropriate water shall be
made on a form prescribed by the chief engineer and shall be accompanied
by an application fee fixed by this section for the appropriate category of
acre feet in accordance with the following:

<table>
<thead>
<tr>
<th>Acre Feet</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 100</td>
<td>$200</td>
</tr>
<tr>
<td>101 to 320</td>
<td>$300</td>
</tr>
<tr>
<td>More than 320</td>
<td>$300 + $20 for each additional 100 acre feet or any part thereof</td>
</tr>
</tbody>
</table>

On and after July 1, 2018, the application fee shall be set forth in the
schedule below:

<table>
<thead>
<tr>
<th>Acre Feet</th>
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</tr>
</thead>
<tbody>
<tr>
<td>0 to 100</td>
<td>$100</td>
</tr>
<tr>
<td>101 to 320</td>
<td>$100</td>
</tr>
<tr>
<td>More than 320</td>
<td>$150 + $10 for each additional 100 acre feet or any part thereof</td>
</tr>
</tbody>
</table>

The chief engineer shall render a decision on such term permit
applications within 150 days of receiving a complete application except
when the application cannot be processed due to the standards established
in K.A.R. 5-3-4c. Upon failure to render a decision within 180 days of
receipt of a complete application, the application fee is subject to refund
upon request.
(c) Each application for a term permit to appropriate water for
storage, except applications for permits for domestic use, shall be
accompanied by an application fee fixed by this section for the appropriate
category of storage-acre feet in accordance with the following:

<table>
<thead>
<tr>
<th>Storage-Acre Feet</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 250</td>
<td>$200</td>
</tr>
<tr>
<td>More than 250</td>
<td>$200 + $20 for each additional 250 acre feet or any part thereof</td>
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when the application cannot be processed due to the standards established
in K.A.R. 5-3-4c. Upon failure to render a decision within 180 days of
receipt of a complete application, the application fee is subject to refund
upon request.

(d) Each application for a term permit pursuant to K.S.A. 2015 Supp.
82a-736, and amendments thereto, shall be accompanied by an application
fee established by rules and regulations adopted by the chief engineer in an
amount not to exceed $400 for the five-year period covered by the permit.

(e) Notwithstanding the provisions of K.S.A. 82a-714, and
amendments thereto, the applicant is not required to file a notice of
completion of diversion works nor pay a field inspection fee. The chief
engineer shall not conduct a field inspection of the diversion works
required by statute for purposes of certification nor issue a certificate of
appropriation for a term permit.

(f) A request to extend the term of a term permit in accordance with
the rules and regulations adopted by the chief engineer shall be
accompanied by the same filing fee applicable to other requests for
extensions of time as set forth in K.S.A. 82a-714, and amendments thereto.

(g) An application to change the place of use, point of diversion, use
made of water, or any combination thereof, pursuant to K.S.A. 82a-708b,
and amendments thereto, shall not be approved for a term permit, except
the chief engineer may approve a change in place of use for a term permit
approved pursuant to K.S.A. 82a-736, and amendments thereto, for
irrigation use may be approved by the chief engineer for:

(1) An increase of up to 10 acres or 10% of the authorized place of
use whichever is less; or
(2) an increase that is greater than 10 acres or 10% of the authorized place of use, whichever is less, if such change is approved to coincide with an approval of a change in place of use under the base water right. In any application to change the place of use under a base water right, the applicant may simultaneously change the place of use of a multi-year flex account term permit to coincide with the change in place of use of the base water right. There shall be no separate fee for such change.

(h) The chief engineer shall adopt rules and regulations to effectuate and administer the provisions of this section.

Sec. 2. K.S.A. 2015 Supp. 82a-708c is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.