

GROUNDWATER MANAGEMENT DISTRICT ACT

K.S.A. 82a-1020 through 82a-1042

July 2017

K.S.A. 82a-1021. Definitions. (a) As used in this section:

(5) "Eligible voter" means a natural person 18 years of age or older, or a public or private corporation, municipality or any other legal or commercial entity that:

(A) Is a landowner that owns, of record, any land, or any interest in land, comprising 40 or more contiguous acres located within the boundaries of the district and not within the corporate limits of any municipality; or

(B) withdraws or uses groundwater from within the boundaries of the district in an amount of one acre-foot or more per year.

(6) "Land" means real property as that term is defined by the laws of the state of Kansas.

(7) "Landowner" means the 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.

(9) "Person" means any natural person, public or private corporation, municipality or any other legal or commercial entity.

(10) "Water right" shall have the meaning ascribed to that term in K.S.A. 82a-701, and amendments thereto.

(11) "Water user" means any person who is withdrawing or using groundwater from within the boundaries of the district in an amount not less than one acre-foot per year. If a municipality is a water user within the district, it shall represent all persons within its corporate limits who are not water users as defined above.

(b) Each tract of land of 40 or more contiguous acres and each quantity of water withdrawn or used in an amount of one acre-foot or more per year shall be represented by but a single eligible voter. If the land is held by lease, under an estate for years, under contract, or otherwise, the fee owner shall be the one entitled to vote, unless the parties in interest agree otherwise. If the land is held jointly or in common, the majority in interest shall determine which natural person or corporation shall be entitled to vote. Each eligible voter, or such eligible voter's duly authorized representative, shall be entitled to cast only one vote per eligible voter. Nothing herein shall be construed to authorize proxy voting

K.S.A. 82a-1026. Annual meetings of eligible voters; organization meeting to elect initial board of directors.

Each eligible voter of the district shall be entitled to vote for as many candidates as the number of directors that are to be elected, but may not cast more than one vote for any one candidate. The candidates receiving the greatest number of votes cast shall respectively be declared elected.