

82a-1024. Same; determination of sufficiency of petition; approval by chief engineer; criteria for approval. (a) If the secretary of state finds the petition to be sufficient as to form and substance and executed in accordance with the requirements of this act he or she shall transmit a certified copy of the petition to the chief engineer within five (5) days from the date of his or her determination of sufficiency. Upon receipt of the certified copy, the chief engineer shall review the petition and shall within ninety (90) days after receipt of the copy transmit a written report of his or her findings on the petition, together with his or her written approval or disapproval of the petition, to the secretary of state and the chairman of the steering committee named in the petition.

(b) The chief engineer shall approve such petition if he or she finds that:

(1) The lands proposed to be included in the district substantially comprise a hydrologic community of interest.

(2) The proposed district would not include any of the lands of an existing groundwater management district.

(3) The statement of purposes contained in the petition conforms with the intent and purposes of this act.

(4) The lands within the proposed district or part thereof overlie an aquifer or aquifers subject to management.

(5) The map attached to the petition is substantially correct.

(6) The area of the district and existing and prospective uses of groundwater within the district are sufficient to support a groundwater management program.

(7) The public interest will be served by the creation of the proposed district.

(c) The chief engineer in his or her findings may make minor corrections with respect to the map and the corrections shall become a part of the petition and shall be deemed effective without a recirculation of the corrected petition.

(d) If the chief engineer approves the petition, he or she shall transmit a certified copy of his or her report to the secretary of state and to the chairman of the steering committee of the district.

History: L. 1972, ch. 386, § 5; July 1.