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MEMORANDUM

To: House Committee on Water and Environment
From: Nick Myers, Office of Revisor of Statutes
Date: February 13, 2018
Subject: House Bill 2691

House Bill 2691 amends K.S.A. 82a-736 relating to multi-year flex accounts. Current law requires that applications for multi-year flex accounts be submitted to the Chief Engineer of the Division of Water Resources by October 1 of the first year for which the application is being made. HB 2691 would change the required date to submit such an application to December 31.

HB 2691 would also amend K.S.A. 82a-1906 relating to certain notification requirements pertaining to the Division of Water Resources. Current law requires the Division of Water Resources to notify individual water right owners with a point of diversion within ½ mile of a water right pending request or application pursuant to:

- K.S.A. 82a-706b relating to unlawful diversions of water;
- K.S.A. 82a-708a for applications to appropriate water; and
- K.S.A. 82a-708b for applications to change the place of use, point of diversion, or use made of water, except that notice is not required for applications requesting a point of diversion change of 300 feet or less.

Current law also requires notice to be provided to all water right owners within ½ mile of the establishment water conservation area boundaries pursuant to K.S.A. 82a-745.

HB 2691 would amend these notification requirements to provide that when a notice relates to surface water, the Division of Water Resources would be required to notify all landowners within ½ mile rather than only the water right holders. Additionally, HB 2691 amends the notice pursuant to K.S.A. 82a-708b to only require notice be given for point of diversion changes of more than 300 feet.