

82a-1335. Same; procedure for organization of water assurance district; petition requirements. (a)

Before any water assurance district is organized, a petition shall be filed in the office of the secretary of state, signed by the eligible water right holders of water rights totaling more than 20% of the combined quantities of all eligible water rights within the proposed district as shown by a verified enumeration of the eligible water right holders and the total combined quantities of all eligible water rights taken by the chief engineer. A verified copy of the enumeration shall be attached to and filed with the petition in the office of the secretary of state.

(b) Every petition filed pursuant to subsection (a) shall state:

- (1) The name of the proposed district, which name shall end with the words "water assurance district number _____." It shall be the duty of the secretary of state to assign a number to each such district in the order in which petitions for their organization are received by the secretary's office;
- (2) a list of the water rights, by file number as recorded in the office of the chief engineer, to be included within the proposed district;
- (3) a statement of the purposes for which the district is to be organized;
- (4) a statement of the number of persons that will constitute the board of directors of the district, which shall be an uneven number of not less than three nor more than nine, together with the names and addresses of the persons who will constitute the original steering committee;
- (5) any other matter deemed essential; and
- (6) a prayer for the organization of the district as a nonprofit corporation.

The petition shall be in substantially the following form:

BEFORE THE SECRETARY OF STATE OF THE STATE OF KANSAS

In the Matter of _____ Water Assurance District Number _____, _____ and _____ counties, Kansas.

PETITION

Come now the undersigned persons, or authorized representatives, and state that they are eligible water right holders within the proposed boundaries of the aforementioned water assurance district, hereinafter more fully described, and that each signer states that the signer's respective post office address is set forth beside the signer's name. That the purposes for which this district is organized are (state purposes). That a steering committee for the organization of the district is hereby fixed and constituted with five members; that the names of persons who will serve on the original steering committee, of which the first named shall be acting chairperson, and their respective addresses are as follows:

(List names and addresses.)

The governing body of the district shall be constituted in a board of directors composed of (number) qualified members.

Wherefore, the undersigned, individually and collectively, pray that a water assurance district be organized in the manner provided by law, for the purposes set forth herein, and that the secretary of state and the chief engineer of the division of water resources of the Kansas department of agriculture proceed diligently in the performance of their duties so that the organization of this proposed district may be completed and approved at the earliest possible time.

Submitted to the secretary of state this _____ day of _____, ____.

History: L. 1986, ch. 391, § 6; L. 2004, ch. 101, § 151; July 1.