

# KANSAS WATER APPROPRIATION ACT (KANSAS WATER BANKING)

(Excerpted)  
July, 2017

**K.S.A. 82a-762. Definitions.** As used in this act:

- (a) "Bank boundary" means the geographic area where a water bank operates and conducts the functions of a water bank and may encompass more than one hydrologic unit.
- (b) "Bank charter" means a document that sets out the articles of incorporation and principal functions of a water bank.
- (c) "Bankable water right" means a water right that has been determined pursuant to K.S.A. 2017 Supp. 82a-764, and amendments thereto, to be bankable.
- (d) "Chief engineer" means the chief engineer of the division.
- (e) "Conservation element" means the portion of a deposit that is taken out of use for the duration of the deposit and is not allowed to be withdrawn and used by subsequent users.
- (f) "Deposit," other than as used in "safe deposit account," refers to the deposit of a water right, or portion of a water right, in a water bank for the purpose of having the bank lease water from such water right, or portion of a water right, to another person or entity.
- (g) "Division" means the division of water resources of the Kansas department of agriculture.
- (h) "Hydrologic unit" means a defined area from which water rights authorizing diversion of water from a source of supply may be deposited and from which water from the same source of supply may be leased, in accordance with the provisions of this act, without causing impairment of existing water rights or a significantly different hydrological effect to other users of water from the same source or hydraulically connected sources of supply.
- (i) "Linked water rights" means two or more water rights that authorize common points of diversion or a common place of use, or both.
- (j) "Safe deposit account" means a personal account held in a water bank where unused water from a bankable water right is placed for use in future years.
- (k) "Term permit" means a permit to appropriate water for a specified period of time.
- (l) "Water bank" means a private not-for-profit corporation that: (1) Leases water from water rights that have been deposited in the bank; and (2) provides safe deposit accounts. A water bank may be a groundwater bank or a surface water bank, or both. (**History:** L. 2001, ch. 160, § 2; July 1.)