

Landowner Bill of Rights

The _____ **Watershed Joint District No. ____** has a floodwater retarding dam that is fully or partially located on your property. The purpose of the dam is to hold back excess runoff water and aid in the prevention of flood damage downstream. The Watershed District is responsible for operation and maintenance of the dam, conservation pool, outlet structure and fencing around the dam.

Watershed District agrees that :

Landowner retains ownership of land covered by easements

Landowner control of easement area* is limited especially within project fenced areas

Landowner retains pasture and cropland use upstream of dam, spillway, and fenced out area - expect crop and pasture or rangeland losses do to temporarily impounded water

Landowner shall expect Watershed District controlled grazing and haying rights** within project fences

Landowner retains recreational rights (fishing, hunting, boating, camping, etc.) to lake and surrounding owned area as long as such activities do not modify any part of the structure or interfere with its maintenance and safe operation - liability of such use is borne by landowner

Landowner obtains domestic water use*** of lake

Landowner obtains haying and grazing of dam and spillway area as approved by watershed district

Landowner expects proper operation and maintenance**** of dam, spillway, project fences, and drawdown system to include constructed stilling basin and outlet channel

Landowner retains property boundaries such as fences impacted by dam, spillway, outlet channel, and reservoir

Landowner Signature

* No homes, other structures, pens, corrals, docks, pipe riser flow restrictors, fish savers, roads, trails, downstream channel obstructions such as crossings that restrict pipe discharges, etc. without prior watershed district approval.

** As approved by watershed district

*** Domestic water right is held by watershed district. Landowner can obtain permission from watershed district to use water from lake or discharges from dam to water livestock, gardens, trees, etc. or improve downstream flow. Any other uses of lake water must be permitted by Kansas Department of Agriculture's Division of Water Resources and concurred in by watershed district.

**** All upstream and downstream area maintenance outside project fences and within easement boundaries is responsibility of landowner unless otherwise outlined in land rights document

The landowner bill of rights was prepared by SAKW with the assistance of Kansas watershed districts. The landowner bill of rights is for optional use. SAKW encourages watershed districts to modify the document to better meet their needs. SAKW suggests that any document such as this be reviewed by legal counsel prior to its use.