

42-107. Rights of way acquired on unoccupied lands prior to 1892. Any individual, company or corporation who has heretofore constructed any canal, ditch, flume or aqueduct for purposes of irrigation upon or over lands unoccupied at the time of such construction, who shall maintain the same for the period of five years succeeding such construction, without objection in writing from the owner of such land, or subsequent claimant under the laws of the United States or of the state of Kansas, shall after the expiration of said period of five years be deemed and held to have acquired a permanent right of way for such canal, ditch, flume or aqueduct, not exceeding, however, the total width of three times the width of such canal, ditch, flume, or aqueduct.

History: L. 1886, ch. 115, § 7; Feb. 26; R.S. 1923, 42-107.