§ 15-2309. Entry upon lands, structures and waters; acquisition of property.

The department, its members, officers, employees and agents may enter upon any land, structures and waters necessary for the purposes of title 23 of this article and may determine what rights in and to such property are to be acquired therein. If the owner of any property to be taken, or on or over which an easement is to be taken, for such improvement shall agree with the department upon the sum to be paid therefor, or for the right to use and occupy the same, or for any damages sustained, such sum shall be paid as hereinafter provided as part of the necessary expense incurred for the purpose of such improvement. If the department cannot agree with the owners upon the compensation and damages to be paid for the property or easement to be so taken the department shall proceed to acquire title thereto under the provisions of the eminent domain procedure law. All real property acquired by a river improvement district shall be exempt from taxation.