

Subject Water-Use Permits
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Overview

As amended, this bill would modify the application and approval process for water-use permits issued by the Department of Natural Resources (DNR).

Summary

Section	Description
1	<p>Preapplication of certain water appropriation projects.</p> <p>Expands preapplication requirements that currently apply to data centers proposing the consumptive use of water exceeding 100,000,000 gallons per year to all consumptive uses exceeding that amount.</p>
2	<p>Transferring permit.</p> <p>Prohibits the DNR from requiring additional conditions or testing, or from reducing the permitted amount or term when transferring a water-use permit to a new owner.</p>
3	<p>Applications for groundwater appropriations; preliminary well-construction approval.</p> <p>Allows water-use permit applicants to submit the results of any aquifer tests that have been completed related to the proposed water use rather than requiring an aquifer test to meet certain specifications of the Department of Natural Resources (DNR). If the DNR determines that a new aquifer test is required to evaluate the proposed water use after receiving the application, the DNR is required to issue a written determination stating the findings that support that determination and the specifications for the new aquifer test within 30 days of receiving the application.</p>
4	<p>Increased water use for cover crops.</p> <p>Allows a water-use permit holder who plans to plant late summer or fall cover crops to apply for an increase in the permitted amount for additional irrigation of the cover crops when needed. Requires the DNR to approve an additional 27,154 gallons per acre above the permitted amount if the use is determined to be sustainable under</p>

Section	Description
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| | current applicable statute. States that permit holders that are or have been subject to an enforcement action are not eligible. |
| 5 | General 150-day limit.
Modifies the requirement of the DNR to act on certain water-use permit applications within 150 days to accommodate the modifications made in a previous section by requiring the DNR to act within 120 days of receiving the results of the new aquifer test. States that if the DNR fails to issue or deny a permit within the existing 150-day limit or the new 120-day limit the commissioner must refund all fees charged in connection with the permit to the applicant. |
| 6 | Extensions.
States that the time limit for approving a water-use permit is extended if a state statute, federal law, or court order requires a process that makes it impossible for the DNR to act on an application within the allowable time period. Extends the deadline to 60 days after completion of the last process that was impeding the DNR. Allows the DNR to extend the time limit by another 60 days by providing notice to the applicant of the extension, including the reason for the extension and its anticipated length. Allows an applicant to request an extension. |



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