

FIRST ENGROSSMENT

ENGROSSED HOUSE BILL NO. 1201

Introduced by

Representatives Brandenburg, Grueneich, Hager, Headland, Mitskog, Warrey, Schreiber-Beck

Senators Erbele, Luick, Weber, Wanzek

1 A BILL for an Act to amend and reenact section 61-04-03.1 of the North Dakota Century Code,
2 relating to a limitation on the amount of water not applied to beneficial use.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 61-04-03.1 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **61-04-03.1. Limitation on amount of water.**

7 An applicant may not apply for a permit or permits for irrigation which, if approved, would
8 enable a person, at any one time, to hold a conditional water permit or permits for more than
9 seven hundred twenty acre-feet [888106.75 cubic meters] of water from a single surface or
10 ground water source that has not been applied to beneficial use. Applications submitted in
11 violation of this section may not be assigned a priority date and must be returned to the
12 applicant by the department of water resources. This section may not apply to water permit
13 applications from the Missouri River or to applications submitted by irrigation districts organized
14 pursuant to this title. For the purposes of this section, "person", when applied to an individual,
15 means the individual and the individual's spouse and dependents within the meaning of the
16 Internal Revenue Code [26 U.S.C. 152].