

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 3116

(SENATE AUTHORS: WIGER)

DATE	D-PG	OFFICIAL STATUS
02/14/2022	4991	Introduction and first reading Referred to Environment and Natural Resources Policy and Legacy Finance

1.1A bill for an act

1.2relating to environment; modifying water appropriation allocation priorities;

1.3amending Minnesota Statutes 2020, sections 103G.261; 103G.291, subdivision 1.

1.4BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5Section 1. Minnesota Statutes 2020, section 103G.261, is amended to read:

1.6103G.261 WATER ALLOCATION PRIORITIES.

1.7(a) The commissioner shall adopt rules for allocation of waters based on the following

1.8priorities for the consumptive appropriation and use of water:

1.9(1) first priority, domestic water supply, excluding industrial and commercial uses of

1.10municipal water supply, and use for power production that meets the contingency planning

1.11provisions of section 103G.285, subdivision 6;

1.12(2) second priority, a use of water that involves consumption of less than 10,000 gallons

1.13of water per day;

1.14(3) third priority, agricultural irrigation, and processing of agricultural products involving

1.15consumption in excess of 10,000 gallons per day;

1.16(4) fourth priority, power production in excess of the use provided for in the contingency

1.17plan developed under section 103G.285, subdivision 6;

1.18(5) fifth priority, uses, other than agricultural irrigation, processing of agricultural

1.19products, and power production, involving consumption in excess of 10,000 gallons per

1.20day; ~~and~~

(6) sixth priority, irrigating golf courses that implement best management practices as part of a commissioner-approved plan for conserving water and using water efficiently; and

(7) seventh priority, nonessential uses.

(b) For the purposes of this section, "consumption" means water withdrawn from a supply that is lost for immediate further use in the area.

(c) Appropriation and use of surface water from streams during periods of flood flows and high water levels must be encouraged subject to consideration of the purposes for use, quantities to be used, and the number of persons appropriating water.

(d) Appropriation and use of surface water from lakes of less than 500 acres in surface area must be discouraged.

(e) The treatment and reuse of water for nonconsumptive uses shall be encouraged.

Sec. 2. Minnesota Statutes 2020, section 103G.291, subdivision 1, is amended to read:

Subdivision 1. **Declaration and conservation.** (a) If the governor determines and declares by executive order that there is a critical water deficiency, public water supply authorities appropriating water must adopt and enforce water conservation restrictions within their jurisdiction that are consistent with rules adopted by the commissioner.

(b) The restrictions must limit lawn sprinkling, vehicle washing, ~~golf course and park~~ irrigation, and other nonessential uses, and have appropriate penalties for failure to comply with the restrictions.