

## **Brandenburg, Michael D.**

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**From:** Haase, Reice <rehaase@nd.gov>  
**Sent:** Tuesday, February 11, 2025 12:33 PM  
**To:** Brandenburg, Michael D.  
**Subject:** Irrigation Language

Rep. Brandenburg,

Below is a summary of what the irrigation language accomplishes:

- The proposed language change aims to make North Dakota Century Code § 61-04-03.1 more flexible.
- Right now, an applicant can't submit more applications for a conditional water permit for irrigation if they already have applications requesting a total of 720 acre-feet for irrigation or are approved for irrigation that hasn't been developed.
- However, in some parts of the state, there are pending applications for irrigation from sources that are close to full appropriation. These applications might not be approved for a long time due to lack of available water, but these applications have been submitted to establish a priority date should additional water become available.
- Under the current statute, any individual who has submitted applications for irrigation totaling up to 720 requested acre-feet can't apply for water from a different aquifer or surface water source (except for the Missouri River).
- This language allows the applicant to apply for an irrigation permit or permits from different sources