

Introduced by

Senators Patten, Erbele, Kessel

Representatives Dressler, Hagert, Novak

1 A BILL for an Act to amend and reenact section 61-04-15.4 of the North Dakota Century Code,
2 relating to a change in the purpose of use of a conditional or perfected water permit.

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

4 **SECTION 1. AMENDMENT.** Section 61-04-15.4 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **61-04-15.4. Change in purpose of use.**

7 1. A permitholder may change the purpose of use of a conditional or perfected water
8 permit without affecting the priority date, if approved by the department of water
9 resources. ~~Applications for a~~

10 2. ~~An application to change in the purpose of use must be processed and evaluated in~~
11 ~~the same manner as a conditional water permit application. A~~

12 3. ~~The department of water resources may approve the proposed change if the proposed~~
13 ~~change will not adversely affect the rights of other appropriators and if a change in the~~
14 ~~purpose of use may be authorized only for is:~~

15 a. ~~To a superior use as determined by under the order of priority in section~~
16 ~~61-04-06.1. The department may approve the proposed change if the proposed~~
17 ~~change will not adversely affect the rights of other appropriators; or~~

18 b. ~~To livestock use or fish, wildlife, and recreation use for a reservoir authorizing no~~
19 ~~withdrawal of water.~~