

TESTIMONY OF

**Andrew Nygren, Division Director, Water Appropriation Division**

Chairman Luick, and members of the Senate Agriculture and Veterans Affairs Committee, I am Andrew Nygren, the Water Appropriation Division Director of the Department of Water Resources. I'm here today to provide testimony in support of amended HB 1201.

The amended bill before you today 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 bill allows the applicant to apply for an irrigation permit or permits from different sources, limited to no more than 720 acre-feet per source except for the Missouri River.

Thank you for considering this change, and I'd be happy to answer any questions you have.