



**S.F. No. 2004, 1st Engrossment - 87th Legislative Session (2011-2012) [S2004-1]**

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

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

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

2.7 ~~(f) Diversions of water from the state for use in other states or regions of the United~~  
2.8 ~~States or Canada must be discouraged.~~

2.9 Sec. 2. Minnesota Statutes 2010, section 103G.265, is amended by adding a  
2.10 subdivision to read:

2.11 Subd. 2a. **Legislative approval for diversion.** Legislative approval required in  
2.12 subdivision 2, clause (2), shall be based on the following considerations:

2.13 (1) the requested diversion of waters of the state is reasonable;

2.14 (2) the diversion is not contrary to the conservation and use of waters of the state; and

2.15 (3) the diversion is not otherwise detrimental to the public welfare.

2.16 Sec. 3. **EFFECTIVE DATE.**

2.17 Sections 1 and 2 are effective the day following final enactment.