

**6115.0680 ADDITIONAL REQUIREMENTS AND CONDITIONS FOR AGRICULTURAL IRRIGATION.**

Subpart 1. **Additional application information.** For ground water appropriation, the applicant must submit to the commissioner the following data in addition to the requirements of part 6115.0660:

A. If the application is for use of groundwater from an aquifer system for which adequate groundwater availability data are available and therefore is designated by the commissioner as a Class A application, (Minnesota Statutes, section 103G.295, subdivision 3):

(1) copies of test hole log(s) to identify the aquifer the proposed well will penetrate;

(2) copies of the water well record(s) and production test data;

(3) additional aquifer test data as may be required by the commissioner if the test holes, water well records, and production test data are insufficient to allow the commissioner to properly assess the capability of the aquifer system in the area of withdrawal, or are inadequate to allow assessment of the effects of the proposed appropriation on other nearby wells.

B. If the application is for use of groundwater from an aquifer system for which inadequate groundwater availability data are available and therefore is designated by the commissioner as a Class B application, (Minnesota Statutes, section 103G.295, subdivision 3) the applicant shall supply the following additional information as required by Minnesota Statutes, section 103G.295, subdivision 4, including:

(1) copies of test hole log(s) to identify the aquifer the proposed well will penetrate;

(2) copies of water well record(s) and production test data;

(3) the anticipated groundwater quality in terms of the measures of quality commonly specified for the proposed water use, when existing data indicate the water supply is not suitable for irrigation;

(4) the location of each domestic well, for which information is readily available, located within the area of influence or within 1-1/2 mile radius of the proposed irrigation well, whichever is less;

(5) readily available information from water well records, reports, studies, and field measurements regarding the domestic wells within the area of influence or a 1-1/2 mile radius of the proposed irrigation well whichever is less, such as:

(a) owner's name, address, and phone number;

- (b) depth of well in feet;
- (c) diameter of well and casing type (concrete curb, steel, wooden, clay tile, etc.);
- (d) nonpumping water level (in feet) below land surface;
- (e) age of well (when constructed);
- (f) type of pump (shallow-jet, deep well jet, submersible reciprocating, etc.) and rate of discharge; and
- (g) length of drop pipe in well;

(6) results of a pumping test of the aquifer system as required in Minnesota Statutes, section 103G.295, subdivision 4, paragraph (a), clause (5).

(7) The commissioner shall in any specific application, waive any of the requirements of subitems (1) to (6), when the necessary data are already available, as required in Minnesota Statutes, section 103G.295, subdivision 4.

Subp. 2. **Commissioner's actions.** The commissioner shall analyze and evaluate applications based on facts supplied by the applicant pursuant to parts 6115.0660 and subpart 1 of this part. Decisions shall be subject to the applicable procedures outlined in part 6115.0670 and based on recommendations of the soil and water conservation district, soil surveys, and other available data on soil characteristics relating to soil suitability for agricultural irrigation and adequacy of existing or proposed soil and water conservation measures in order to protect water quality and prevent erosion and sedimentation.

The commissioner shall determine the amount of water allowed to be used under the above paragraph based on:

- A. Acreage of lands involved.
- B. Climatic characteristics of the area involved.
- C. Dominant soil types of the acreage to be irrigated and major crops to be irrigated.
- D. Best available technology, methodology, and crop-water use requirement information including, but not limited to, Irrigation Guide for Minnesota, Soil Conservation Service, U.S. Department of Agriculture, Saint Paul, Minnesota, 1976.
- E. When adequate data on soil moisture and local climatic conditions are available for the area, the commissioner may in cooperation with irrigators and agricultural experts establish an irrigation scheduling system to provide for improved conservation of water.

F. For irrigation from surface water, where stream flow or lake level records are unavailable or when available records indicate that flows or levels during the irrigation season would be inadequate if all potential riparian landowners would use the water for irrigation, the amount of appropriation shall be limited to no more than one-half acre-foot per acre of riparian land owned or controlled by the applicant except for appropriation for wild rice paddies as is provided in item G. Riparian lands for the purpose of these rules shall be those 40-acre tracts or government lots, or portions thereof, that directly abut a basin or watercourse. This provision shall apply until a protected flow or protection elevation has been established in accordance with part 6115.0670, subpart 3, item B.

G. The amount of appropriation for wild rice paddies shall be based on consideration of climatic characteristics of the area and the best available technology relating to amounts of water needed to raise wild rice.

**Statutory Authority:** *MS s 103G.315; 105.415*

**Published Electronically:** *June 11, 2008*