



## 2001 ASSEMBLY BILL 311

April 12, 2001 - Introduced by Representatives JOHNSRUD, WADE, BOCK, GUNDERSON, HAHN, HUEBSCH, HUNDERTMARK, F. LASEE, MCCORMICK, MUSSER, OLSEN, PETTIS, SERATTI, TOWNSEND, WOOD and UNDERHEIM, cosponsored by Senators BURKE, BAUMGART, SCHULTZ and ROESSLER. Referred to Committee on Environment.

1     **AN ACT to amend** 281.17 (1) of the statutes; **relating to:** approvals for  
2           high-capacity wells.

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### *Analysis by the Legislative Reference Bureau*

Current law prohibits a person from constructing or operating one or more wells on one property that withdraw a total of more than 100,000 gallons of water a day (high-capacity well) without the approval of the department of natural resources (DNR). If DNR finds that a proposed withdrawal will adversely affect the water supply of a public water utility, DNR must disapprove the high-capacity well or impose conditions relating to location, depth, pumping capacity, rate of flow, and ultimate use so that the water supply of the public water utility will not be impaired.

This bill provides that if DNR finds that a withdrawal by a proposed high-capacity well will adversely affect waters of the state, DNR may disapprove the high-capacity well or impose any kind of conditions that will protect the waters of the state.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

3           **SECTION 1.** 281.17 (1) of the statutes is amended to read:

**ASSEMBLY BILL 311****SECTION 1**

1           281.17 (1) No wells shall may be constructed, installed, or operated to  
2 withdraw water from underground sources for any purpose where the capacity and  
3 rate of withdrawal of all wells on one property is in excess of 100,000 gallons a day  
4 without first obtaining the approval of the department. If s. 281.35 applies to the  
5 proposed construction, the application shall comply with s. 281.35 (5) (a). If the  
6 department finds that the proposed withdrawal will adversely affect or reduce the  
7 availability of water to any public utility in furnishing water to or for the public or  
8 does not meet the grounds for approval specified under s. 281.35 (5) (d), if applicable,  
9 it shall either withhold its approval or grant a limited approval under which it  
10 imposes such conditions as to location, depth, pumping capacity, rate of flow, and  
11 ultimate use so that the water supply of any public utility engaged in furnishing  
12 water to or for the public will not be impaired, and the withdrawal will conform to  
13 the requirements of s. 281.35, if applicable. If the department finds that the proposed  
14 withdrawal will adversely affect waters of the state, it may withhold its approval or  
15 grant a limited approval under which it imposes conditions that will protect the  
16 waters of the state. The department shall require each person issued an approval  
17 under this subsection to report that person's volume and rate of withdrawal, as  
18 defined under s. 281.35 (1) (m), and that person's volume and rate of water loss, as  
19 defined under s. 281.35 (1) (L), if any, in the form and at the times specified by the  
20 department. The department may issue general or special orders it considers  
21 necessary to ensure prompt and effective administration of this subsection.

22           **SECTION 2. Initial applicability.**

23           (1) This act first applies to applications for approvals under section 281.17 (1)  
24 of the statutes that are submitted on the effective date of this subsection.

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(END)