

CHAPTER 126

AN ACT to amend 31.14 (8) of the statutes, relating to the diversion of surplus water.

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

31.14 (8) of the statutes is amended to read:

31.14 (8) At the conclusion of the hearing, if it * * * *appears* that the water to be diverted is surplus water, or if not surplus water the riparians injured by such diversion have consented thereto, the commission shall so find and a permit for the diversion of such water shall issue. *No new permit shall issue for diversion of water from any trout stream designated as such by the conservation commission in publication 213-57 and subsequent issues of said publication without prior written approval by the conservation commission.* The commission shall determine and fix the quantity of water to be diverted and the time when such water may be diverted. Until January 1, * * * 1961, when it is determined that a riparian *permittee* is authorized to withdraw a stated flow of water, he may use that water on any other land contiguous to his riparian land, but he may not withdraw more water than he did prior to August 1, 1957. * * * *The public service commission shall annually review with the conservation commission all permits to divert water issued since August 1, 1957. Upon making such annual review, the public service commission may revoke any permit upon finding that the withdrawal is detrimental to other riparians or to the stream or lake and shall revoke any permit issued for diversion of water from any trout stream designated as aforesaid when requested to do so for conservation purposes by the conservation commission.*

Approved June 18, 1959.
