

MAR 15 2005  
Place On Calendar

HOUSE FILE 768  
BY COMMITTEE ON ENVIRONMENTAL  
PROTECTION

(SUCCESSOR TO HF 489)

Passed House, Date 3-22-05 Passed Senate, Date \_\_\_\_\_  
Vote: Ayes 99 Nays 0 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved 4/22/05

**A BILL FOR**

1 An Act relating to the publishing of notice of recommendations to  
2 grant permits for diversion, storage, and withdrawal of water.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HF 768

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**HOUSE FILE 768**

**H-1076**

- 1 Amend House File 768 as follows:  
2 1. Page 1, line 3, by striking the word "permit"  
3 and inserting the following: "new permit or  
4 modification of a permit".  
5 2. Page 1, line 4, by inserting after the word  
6 "section" the following: "to a community public water  
7 supply".  
8 3. Page 1, line 6, by striking the word "copy"  
9 and inserting the following: "brief summary".

By GREINER of Washington

**H-1076 FILED MARCH 15, 2005**

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1 Section 1. Section 455B.265, Code 2005, is amended by  
2 adding the following new subsection:

3 NEW SUBSECTION. 5. Prior to the issuance of a permit  
4 under this section, the department shall publish a notice of  
5 recommendation to grant a permit. The notice shall include a  
6 copy of the proposed permit and shall be published in a  
7 newspaper of general circulation within the county of the  
8 proposed water source as provided in section 618.3. If the  
9 newspaper of general circulation is not the newspaper of the  
10 nearest locality to the proposed water source that publishes a  
11 newspaper, the notice shall also be published in the newspaper  
12 of the nearest locality to the proposed water source that  
13 publishes a newspaper and the department may charge the  
14 applicant for the expenses associated with publishing the  
15 notice in the second newspaper.

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EXPLANATION

17 This bill relates to the publishing of notice of  
18 recommendations to grant permits for diversion, storage, and  
19 withdrawal of water.

20 The bill requires the department of natural resources,  
21 prior to the issuance of a permit for the diversion, storage,  
22 or withdrawal of water, to publish a notice of recommendation  
23 to grant a permit in a newspaper of general circulation within  
24 the county of the proposed water source. The bill provides  
25 that, if the newspaper of general circulation is not the  
26 newspaper of the nearest locality to the proposed water source  
27 that publishes a newspaper, the notice shall also be published  
28 in the newspaper of the nearest locality to the proposed water  
29 source that publishes a newspaper and the department may  
30 charge the applicant for the expenses associated with  
31 publishing the notice in the second newspaper. The bill  
32 requires the notice to include a copy of the proposed permit.

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HOUSE FILE 768  
BY COMMITTEE ON ENVIRONMENTAL  
PROTECTION

(SUCCESSOR TO HF 489)

(As Amended and Passed by the House March 22, 2005)

Passed House, Date \_\_\_\_\_ Passed Senate, Date 4-14-05  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes 50 Nays 0  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the publishing of notice of recommendations to  
2 grant permits for diversion, storage, and withdrawal of water.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments \_\_\_\_\_

1 Section 1. Section 455B.265, Code 2005, is amended by  
2 adding the following new subsection:

3 NEW SUBSECTION. 5. Prior to the issuance of a new permit  
4 or modification of a permit under this section to a community  
5 public water supply, the department shall publish a notice of  
6 recommendation to grant a permit. The notice shall include a  
7 brief summary of the proposed permit and shall be published in  
8 a newspaper of general circulation within the county of the  
9 proposed water source as provided in section 618.3. If the  
10 newspaper of general circulation is not the newspaper of the  
11 nearest locality to the proposed water source that publishes a  
12 newspaper, the notice shall also be published in the newspaper  
13 of the nearest locality to the proposed water source that  
14 publishes a newspaper and the department may charge the  
15 applicant for the expenses associated with publishing the  
16 notice in the second newspaper.

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applicant for the expenses associated with publishing the notice in the second newspaper.

HOUSE FILE 768

AN ACT

RELATING TO THE PUBLISHING OF NOTICE OF RECOMMENDATIONS TO GRANT PERMITS FOR DIVERSION, STORAGE, AND WITHDRAWAL OF WATER.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 455B.265, Code 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 5. Prior to the issuance of a new permit or modification of a permit under this section to a community public water supply, the department shall publish a notice of recommendation to grant a permit. The notice shall include a brief summary of the proposed permit and shall be published in a newspaper of general circulation within the county of the proposed water source as provided in section 618.3. If the newspaper of general circulation is not the newspaper of the nearest locality to the proposed water source that publishes a newspaper, the notice shall also be published in the newspaper of the nearest locality to the proposed water source that publishes a newspaper and the department may charge the

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CHRISTOPHER C. RANTS  
Speaker of the House

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JOHN P. KIBBIE  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 768, Eighty-first General Assembly.

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MARGARET THOMSON  
Chief Clerk of the House

Approved 4/22, 2005

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THOMAS J. VILSACK  
Governor