

FIRST REGULAR SESSION

# SENATE BILL NO. 556

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MAYER.

Read 1st time February 26, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

1059S.02I

## AN ACT

To repeal section 256.400, RSMo, and to enact in lieu thereof two new sections relating to major water users.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 256.400, RSMo, is repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 256.400 and 256.433, to read as  
3 follows:

256.400. As used in sections 71.287, RSMo, and 256.400 to [256.430]  
2 **256.433**, unless the context clearly indicates otherwise, the following terms mean:

3 (1) "Department", the department of natural resources;

4 (2) "Director", the director of the department of natural resources;

5 (3) "Division", the division of geology and land survey of the department  
6 of natural resources;

7 (4) "Major water user", any person, firm, corporation or the state of  
8 Missouri, its agencies or corporations and any other political subdivision of this  
9 state, their agencies or corporations, with a water source and equipment  
10 necessary to withdraw or divert one hundred thousand gallons or more per day  
11 from any stream, river, lake, well, spring or other water source;

12 (5) "State geologist", the director of the division of geology and land survey  
13 of the department of natural resources;

14 (6) "Water source", any stream, river, lake, well, spring or other water  
15 source.

**256.433. No withdrawal or diversion of water by a major water  
2 user shall unduly interfere with the reasonable and customary  
3 irrigation activities of a farming operation that has registered under**

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

4 section 256.410 as a major water user. If such a withdrawal or  
5 diversion occurs within the Southeast Missouri Regional Water District  
6 created under 256.643, the attorney general or the party or parties  
7 affected may file an action for an injunction.

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