



ADVOCATING *for* AGRICULTURE

- **Bill number:** Senate Bill 28
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- **Sponsored by:** Representative Shane Lindauer (R-Columbus)

Senate Bill 28 does the following:

Provides protections to Indiana farmers by establishing a streamlined process for significant groundwater well users to be remediated for loss of usable water. Under current law, groundwater well users bear the burden of proving the loss of water and the party liable in court. SB 28 would shift that responsibility to the Indiana Department of Natural Resources (DNR), saving the affected party both time and money.

Under SB 28, groundwater well users would:

1. Self-report to the DNR;
2. Request an on-site investigation be completed by the DNR to determine the cause; and
3. Afford DNR the ability to require the responsible party to properly compensate the negatively affected user by covering costs associated with:
 - hooking the user up to a new potable water supply; or
 - digging the groundwater well deeper.

SB 28 expands current law to cover not only residential wells, but groundwater withdrawal wells utilized for food production (crops and livestock). To avoid arguing priority use, SB 28 provides protections to all significant water withdrawal facilities including private industrial users, the energy sector, and utilities.

As the state continues to recruit water heavy economic development projects to locate in Indiana, SB 28 provides peace of mind to farmers that their livelihood remains viable as economic development continues to creep.

▶ **What is a significant water withdrawal facility?**

A significant water withdrawal facility is a groundwater well user that has capacity to pump 100,000 gallons per day.

▶ **If I own a significant water withdrawal facility, what requirements exist today?**

If you own a well with the capacity to pump more than 100,000 gallons per day, you must register your well with DNR and report your annual estimated use. SB 28 does not change current requirements. However, to be protected under this legislation, you must register your well with DNR.