

9.0 Appropriation of Public Surface Waters

9.1 Policy

It is the policy of the Board of Managers to regulate the appropriation of public waters.

9.2 Regulation

A permit from the District is required to appropriate up to 10,000 gallons per day and up to 1,000,000 per year of water for a nonessential use from:

- 9.2.1 A public water basin or wetland within the District that is less than 500 acres in surface size; or
- 9.2.2 A protected watercourse that has a drainage area of less than 50 square miles.

9.3 Criteria

An appropriation of public water permitted under this rule must not lower the water level in the basin or watercourse to an extent that would deprive the public and riparian property owners of reasonable use of and access to the water. In addition, the appropriation must:

- 9.3.1 Be reasonable and practical with regard to alternative sources of water or methods available, including use of water appropriated during high flows and levels and stored for later use and the use of ground water, to attain the appropriate objective;
- 9.3.2 Include the utilization of water storage and reuse and conservation practices;
- 9.3.3 Be subject to restriction, at any time, to meet instream flow needs or protect basin water levels.

9.4 Required Information and Exhibits

An applicant for a permit under this rule must provide:

- 9.4.1 Written evidence of ownership, control of, or a license to use the land abutting the surface water source from which water will be appropriated.
- 9.4.2 A completed application showing:
 - a Applicant address;
 - b Applicant email address;
 - c Purpose of the requested appropriation;
 - d Source of water;
 - e Amount of water to be appropriated on a maximum daily, monthly and annual basis;
 - f Means, methods, and techniques of appropriation;

- g Proposed pumping schedule, including rates, times and duration;
- h Alternative sources of water considered and reasons why the proposed source was selected;
- i Analysis of the hydraulic and hydrological effect of the proposed appropriation on levels and flows and anticipated impacts, if any, on instream flow or lake level conditions to the extent that such facts are not already available to the District;
- j Information on any water storage facilities and capabilities and any proposed reuse and conservation practices;
- k A contingency plan or an agreement to accept no appropriation in the event of restrictions; and
- l For an appropriation from a basin, proof that the applicant has notified all riparian landowners of the proposed appropriation and signed statements from as many riparian landowners as the applicant is able to obtain stating support of the proposed appropriation, along with an accounting of number of signatures of riparian owners the applicant is unable to obtain.