

GROUNDWATER TRANSFERS

1. NRDs with Groundwater Management Areas should be given primary authority, supplemental to that of the state, to issue and administer permits for:
 - a. temporary physical transfers of withdrawn groundwater from one location to another for any beneficial use,
 - b. permanent physical transfers of withdrawn groundwater from one location to another for any beneficial use,
 - c. temporary transfers of the point of withdrawal for the right to use groundwater for any beneficial use, and
 - d. permanent transfers of the point of withdrawal for the right to use groundwater for any beneficial use.

2. If the NRD finds that the transfer of groundwater requested by the applicant is:
 - a. reasonable,
 - b. not contrary to the conservation and beneficial use of groundwater,
 - c. not contrary to the District's Groundwater Management Plan,
 - d. are consistent with all applicable statutes, rules, and regulations, decrees, compacts, and other State Agreements,
 - e. not detrimental to an adjoining NRD, and
 - f. not otherwise detrimental to the public welfare,
 - g. and, if in an integrated management area, is not detrimental to a surface water right;

it shall grant a permit to the applicant to withdraw and transport groundwater in the amount applied for or in a lesser amount.

3. NRD may establish rules and regulations restricting or governing:
 - a. transfers of water within District,
 - b. transfers of water out of District, whether in-state or out-of-state
 - c. transfers of water into District,
 - d. transfers of use within District,
 - e. transfers of use out of District, whether in-state or out-of-state
 - f. transfers of use into District.

4. In regulating, restricting or governing temporary or permanent transfers an NRD may:
 - a. limit the distance the water or use may be transferred,
 - b. limit the locations where water can be transferred from or to,
 - c. limit the amounts of water or use that may be transferred,
 - d. require that permanent transfers of use of water be accompanied by decommissioning a well, and
 - e. require an offset of water use as a condition of the permits,
 - f. limit the timing of a withdrawal for transfer,
 - g. require measurement and reporting of withdrawal for transfer,
 - h. require such other regulations or restrictions as may be necessary.

5. The applicant requesting transfers of groundwater shall show evidence that the transfer is:
 - a. not detrimental to an adjoining NRD, and
 - b. not otherwise detrimental to the public welfare.

- c. and, if in an integrated management area, is not detrimental to surface water rights.