

Groundwater Transfers



GROUNDWATER TRANSFER AUTHORIZATION

District Groundwater Management Area Rules and Regulations (Rule 5, Chapter 11) require that anyone who wants to transfer groundwater from a well in one section of land to another section must apply for and receive a **Transfer Authorization** from the district.

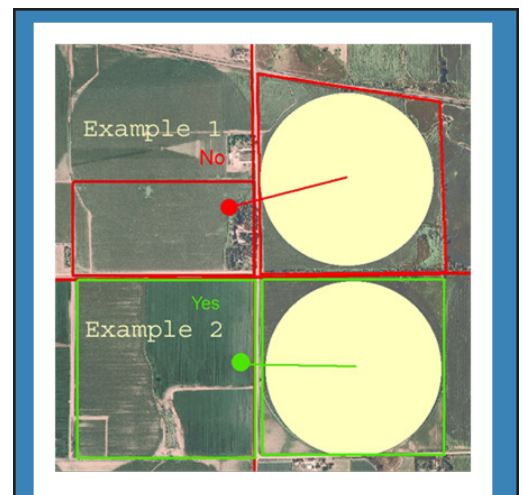
AGRICULTURAL TRANSFERS (IRRIGATION)

The following restrictions apply to groundwater transfers started after August 1, 2007:

- An agricultural user, as defined in Rule 5, Chapter 4 ¶16.01, shall only be allowed to initiate a new ground water transfer to a destination tract that is directly adjacent or diagonal to the tract of land on which the ground water withdrawal originates.
- The acres in the destination tract, to which ground water is transferred, is limited to an amount less than or equal to the total number of acres in the source tract.
- The maximum transfer to a destination tract shall not exceed one-hundred and sixty (160) acres.
- New groundwater irrigation transfers in high risk groundwater areas will not be permitted (**see reverse side for more info on this topic**).

MUNICIPAL AND OTHER TRANSFERS

- A municipal user or other user, as defined in Chapter 4 ¶16.02 and ¶16.03, shall only be allowed to initiate new ground water transfers to a government survey section that is directly adjacent or diagonal to the tract of land on which the ground water withdrawal originates.
- Transfers proposing to withdraw more than two-hundred and fifty (250) acre feet annually shall conduct a hydrologic evaluation as provided in Ch. 5, ¶05.



AGRICULTURAL TRANSFER SCENARIOS

EXAMPLE 1: The illustration above shows an agricultural groundwater transfer that is not allowed because the source tract does not contain as many acres as the number of acres that are to be irrigated in the destination tract.

EXAMPLE 2: The illustration shows an agricultural groundwater transfer that would be allowed because the source tract contains more acres than the number of acres to be irrigated in the destination tract.

Groundwater Transfers

TRANSFER EXEMPTIONS

The following types of groundwater transfers do not require district authorization:

- Ground water transfers authorized by the Municipal Rural Domestic Ground Water Transfers Permit Act
- Transfers of ground water that were started prior to August 1, 2007
- Ground water transfers within the same government survey section

- Municipal ground water transfers within the municipality's corporate limits

GROUNDWATER TRANSFER APPLICATIONS

An application for a groundwater transfer authorization may be obtained by contacting the district or online as www.upperbigblue.org/forms. The application must be accompanied by an \$50 filing fee and a completed United States Citizenship Attestation Form.

HIGH-RISK GROUNDWATER AREAS

NRD regulations prohibit new groundwater irrigation transfers in the designated High-Risk Groundwater Area. The area that is closed to new transfers is shown on the High-Risk Groundwater Area map below. Existing groundwater transfers in the designated areas may continue, but may not increase irrigated acres.

In areas outside the High-Risk Groundwater Area, existing regulations already limit the size and distance that groundwater may be transferred. Groundwater transfers must be authorized by the NRD Board of Directors prior to implementation.

No transfer of water into, out of, or within the high-risk groundwater area is permitted.

WELL SPACING RULES FOR HIGH-RISK GROUNDWATER AREAS

- Two mi. from municipal wells
- 1,250 ft. from all high capacity wells
- 1,250 ft. from domestic wells under different ownership
- Maximum of 1 well per 80 acres (or less)
- Maximum of 2 wells per 160 acres (or less)

