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 groundwater transfer to a destination tract that is directly adjacent or diagonal to the tract of land on which the groundwater withdrawal originates.

• The acres in the destination tract, to which groundwater 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 groundwater transfers to a government survey section that is directly adjacent or diagonal to the tract of land on which the groundwater 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.
**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)