

HGCD POLICY 2007-4

(Effective 03/14/2007)

Amended June 10, 2009

Amended May 12, 2010

DISTRICT PERMITTING POLICY

APPLICATION OF HGCD RULE 7

The District may issue permits that limit production generally to only the amount of water that can be used beneficially for a specific location and purpose.

“Evidence of Historic or Existing Use” “As defined in Water Code Chapter 36.001 (29) “means evidence that is material and relevant to a determination of the amount of groundwater beneficially used without waste and of the purpose of such use by a permit applicant during the relevant time period set by the district rule that regulates groundwater based on Historic Use.”

“Historic Use Period” As defined in HGCD Rule 1 (BB) shall ordinarily mean the average of the recorded gallons pumped in the five years immediately preceding the issuing or renewal of a permit. At the discretion of the General Manager other historic evidence may be considered when the record for the previous consecutive five years is incomplete or other extraordinary circumstances exist. Extraordinary circumstances shall include but not be limited to reduced water use due to conservation measures taken during drought or periods of higher than normal rainfall. It is not the intention of this policy to penalize permit well users who conserve water and thereby use less than their permitted amounts. Purposeful reduction of water consumption shall be considered when evaluating historic use for a permit renewal.

Section 1: Public Water Systems:

- (a) Permits shall be determined by historic use, beneficial purpose, and service needs of an existing Public Water Supplier up to a cap of 80,000 gallons per acre per year.
- (b) When no historic use is available for an existing Public Water Supplier, permits shall be determined by beneficial purpose and service needs up to a cap of 80,000 gallons per acre per year.
- (c) For new Public Water Supply systems initiated after the effective date of this policy, permits shall be considered by beneficial purpose and service needs up to a cap of 80,000 gallons per acre per year.
- (d) Renewal permits shall be determined by considering historic use, beneficial purpose, and service needs of the Public Water Supplier up to a cap of 80,000 gallons per acre per year.

Section 2: Conjunctive Use Public Water Systems:

For conjunctive use Public Water Systems historic use will be defined as the total conjunctive water used, both Surface Water and Groundwater. The intent of this policy is to encourage maximum use of Surface Water and conservation of Groundwater.

- (a) Permits shall be determined by historic use, beneficial purpose, and service needs of an existing conjunctive use Public Water Supplier up to a cap of 80,000 gallons per acre per year of groundwater. Historic use shall be established by combining prior groundwater and surface water production.
- (b) When no historic use is available for existing conjunctive use Public Water Supply systems, permits shall be determined by beneficial purpose, and service needs up to a cap of 80,000 gallons per acre per year of groundwater.
- (c) For new conjunctive use Public Water Supply systems initiated after the effective date of this policy, permits shall be considered by beneficial purpose and service needs up to a cap of 80,000 gallon per acre per year of groundwater.
- (d) Renewal permits of conjunctive use Public Water Suppliers shall be determined by considering historic use of groundwater and surface water, beneficial purpose, and service needs of the public water supplier up to a cap of 80,000 gallon per acre per year of groundwater.

Section 3: Irrigation, Mining, Golf Courses, Ranching, Business

- (a) Permits shall be determined by historic use and beneficial purpose up to a cap of 80,000 gallons per acre per year of groundwater.
- (b) When no historic use is available for existing systems, permits shall be determined by beneficial purpose, up to a cap of 80,000 gallons per acre per year of groundwater.
- (c) For new systems initiated after the effective date of this policy, permits shall be considered by beneficial purpose up to a cap of 80,000 gallons per acre per year of groundwater.
- (d) Renewal permits shall be determined by considering historic use and beneficial purpose up to a cap of 80,000 gallons per acre per year of groundwater.

Section 4: Conditional Permit

Application may be made for a Permit to the District detailing a proposed project specifying the proposed intention, amount of water needed, and a timeline of completion of said project. A permit will be issued pending the completion of the project. Conditional Permits require Board approval.

Section 5: Edwards Aquifer

Permitted wells are not allowed in the Edwards Aquifer.

Section 6: Addendum to Policy May 9, 2007,

All Permits that exceed 80,000 gallons per acre per year will require board approval.

Section7: Addendum to Policy February 13, 2008,

The production amount on permits will be stated as an average of the gallons allowed annually on the permit.