

**MINNEHAHA CREEK WATERSHED DISTRICT
BOARD OF MANAGERS**

11. APPROPRIATIONS RULE

**Adopted XXXX
Effective XXXX**

1. POLICY. To fulfill the mandate of Minnesota Statutes section 103B.211, subdivision 4, the Board of Managers regulates appropriations from certain public waters within Hennepin County.

2. REGULATION.

a. This rule applies to surface water appropriations from the following:

1. A public waters basin or public waters wetland less than 500 acres in area that is wholly within Hennepin County, excluding any basin or wetland with a navigable connection to Lake Minnetonka;
2. A public waters watercourse with a drainage area of less than 50 square miles.

b. A permit is required to appropriate up to 10,000 gallons per day and 1,000,000 gallons per year for a non-essential use, as defined as Minnesota Statutes section 103G.291.

c. An applicant is deemed to possess a general permit authorizing the appropriation on District receipt of a completed notice of appropriation in the form maintained by the District.

3. CONDITIONS.

The District may remove a permit or limit an appropriation if it finds any of the following:

- a. The appropriation may adversely affect the water resource, or deprive the public and riparian property owners of reasonable use of and access to the waterbody;
- b. The purpose of the appropriation may be achieved by another reasonable and practical method, including water storage and reuse of another conservation practice.

The District may restrict the appropriation at any time, with due notice, to meet in-stream flow needs or protect basin water level.