

**MINNEHAHA CREEK WATERSHED DISTRICT
BOARD OF MANAGERS**

APPROPRIATIONS RULE

**Adopted November 21, 2013
Effective November 21, 2013**

1. **POLICY.** In fulfillment of the mandate of Minnesota Statutes section 103B.211, subdivision 4, the Board of Managers regulates the appropriations of public waters within Hennepin County.

2. **REGULATION.** A permit from the District is required to appropriate up to 10,000 gallons per day and up to 1,000,000 gallons per year of surface water for a nonessential use from:

- (a) A public water basin or public waters wetland within the portion of the District within Hennepin County that is less than 500 acres in surface size and does not have a navigable connection to Lake Minnetonka; or
- (b) A protected watercourse within the portion of the District within Hennepin County that has a drainage area of less than 50 square miles.

An individual permit from the District is not required if the information required under section 3 of this rule is provided. An appropriation under this rule is subject to the following conditions. An appropriation of public water under this rule:

- (a) Must not lower the water level in the basin or watercourse to an extent that would deprive the public and riparian property owners of reasonable use of and access to the water;
- (b) Must be reasonable and practical with regard to alternative sources of water or methods available – including use of water appropriated during high flows and levels and stored for later use and the use of ground water – to attain the appropriate objective;
- (c) Must utilize water storage and reuse, and conservation practices;
- (d) May not cause a negative impact to the water resource;
- (e) May be subject to restriction, at any time, to meet in-stream flow needs or protect basin water levels.

3. **REQUIRED EXHIBITS.** To qualify for the general permit established by this rule, a party must submit the following information:

- (a) Address of the property from which the appropriation will be made;

- (b) Applicant email address;
- (c) Purpose of the requested appropriation;
- (d) Source of water.